THE SURVEY

MIDMONTHLY

MAY 15, 1923

The Minimum Wage

Seven Governors and a Score of Citizens Answer the Question

What Next?

Can Washington Be Modernized?

Mina C. Van Winkle

Harlean James

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HENRY R. SEAGER, who introduces the symposium on the minimum wage decision, is professor of political economy in Columbia University and a vice-president of Survey Associates, Inc.

WASHINGTON, the city without a vote, needs much more attention than it gets from Congress. Mina C. Van Winkle, who writes of the social work impasse in the capital (p. 212) is president-elect of the Monday Evening Club, in which Washington social workers comfort each other, and director of the Woman's Bureau in the Metropolitan Police Department. Harlean James (p. 213) is secretary of the American Civic Association, which is now urging folks back home to take an intelligent share in making the federal city more beautiful and more livable.

EMELYN PECK, who writes on Justice for the Fatherless Child (p. 236) has seen varied service with child-caring agencies, surveyed child-caring institutions in Paris, worked with Carstens in Massachusetts, and analyzed children's laws in New York cities for the New York State Charities Aid Association. Her article, like the letter from Henry W. Thurston in the Midmonthly for April 15, 1923 (p. 109), is a reply to the article on Foundling Hospitals in the Survey Graphic for December, 1922.

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RAYMOND MOLEY has been director of the Cleveland Foundation (p. 229) since 1919, but is now leaving to teach in Barnard College (see p. 251).

ELWOOD STREET (p. 231) went to St. Louis from Louisville in 1921 to run the Community Council.

KANSAS still has its Industrial Court. Professor Feis of the University of Kansas writes a sequel (p. 242) to his earlier articles: Kansas Miners and the Kansas Court, Survey Graphic for February 25, 1922; and The Kansas Court and the National Strikes, Survey Midmonthly for December 15, 1922.

"KEEP your teeth sound but don't talk," is the motto of McDowell County, West Virginia, which is on the trouble map of the American Civil Liberties Union, but has excellent rural dental clinics. L. J. Hanifan, who describes their work (p. 228) is district superintendent of schools at Welch, West Virginia.

WALK-BOOKS are the hobby of Dr. Robert L. Dickinson, a New York physician, and never was hobby ridden with more grace or enthusiasm. His sketch-books are full of charming spoil from the outskirts of New York and Washington. Some of it was published in the Survey Midmonthly for February 15, 1923.

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THE DANCING CRAZE

Can you blame
the poor kids—after
the last nine years?

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THE SURVEY

MIDMONTHLY

May 15
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The Common Welfare

A VASSAR graduate was speaking. "I'm always awfully careful what I say and do when I'm visiting cases," she said. "You know it's probably the first time those people have ever come in contact with a lady, and it may be the last." A true story, dated not in the dark '80's, but in 1923. It recalls that distinguished national organization where common parlance at headquarters divides the workers into three classes: The "ladies," i. e., the volunteers of the board and special committees; the "secretaries," staff executives; and the "office force." We are not yet clear of the crinoline days of benevolence.

SIX THOUSAND lives were saved in Washington last year—not by candidates for Carnegie medals, or by some miraculous new discovery, but by the slow march of progress of the last fifty years in sanitation, medicine, education—the art of healthful living. When the National Conference held its second meeting—in 1875—the death-rate for the city of Washington was 28.08 for each thousand of its people; in 1922 it was 13.9. Smallpox has been vanquished—and tuberculosis and infant mortality, the other two capital offenders of 1875, are on the run. If those rates of 1875 had been in force in 1922 there would be 2,000 fewer babies and 4,000 fewer citizens of other ages to imbibe the lessons of the conference and work toward making Washington a real haven of health, such as Palo Alto, for example, which lost only 7.3 per thousand of its population by death in 1922.

WILL the deficiencies of Ellis Island still be discussed at the hundredth anniversary of the National Conference of Social Work? We ask the question because there is so little indication of progress. In the summer of 1921 W. W. Husband, commissioner general of immigration, appointed a commission to study Ellis Island as a problem in human welfare. Fred C. Croxton, Julia Lathrop, Mrs. Nathaniel Thayer, W. W. Sibray—the names of the appointees were such as to inspire a confident hope of real results. The recommendations of the commission, summarized in the SURVEY for January 14, 1922, were convincingly direct and practical. But where—in May, 1923—is there evidence of accomplishment? The detained immigrants are still found in the same dreary detention halls. The child in the hospital and the mother in the "deferred" or "excluded" room are still separated by the dead-line between the Public Health Service and the Department of Labor. While a more intelligent information service has been established by Commissioner Tod, the plans for the more humane use of the available space, and for efficient welfare activity, are still gathering dust.

FINGER-PRINTING may not of itself create virtue but it can point the way. Ten years ago, in the Magistrates' Courts of New York City, it ended the fining of prostitutes, a practice which had served only to raise the price of commercialized vice. Now it has produced reliable evidence by which the Committee of Fourteen, one of the oldest and most persistent of anti-vice societies, is able to break up a large and hazy group of "women offenders" into individual human beings who can be studied. Finger prints in the Women's Court for five years beginning 1916 show that the 8,152 convictions for prostitution apply to only 6,384 individuals; that of these, 4,650 were convicted but once during the period and had no record of an earlier conviction. In other words, the first offenders form not 55 or 60 per cent of the total as had been supposed, but 72.8 per cent, which puts renewed emphasis on "the great importance of some way being found to stop the influx of new women into a life of public immorality." Following hard on this lead, the committee proposes to study the investigation reports of these first offenders "and thus obtain reliable facts as to the source of the unending stream of young women convicted of prostitution, . . . find the sources of this stream . . . and point the way to drying up the springs." Separation of the first offenders has left in a group by themselves the much smaller number of women

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whose misconduct is persistent and on whom the agencies of reformation and punishment seem to have no effect.

THE Committee of Fourteen suggests two methods of securing better results from the endeavors to repress commercialized prostitution: a widening of the law so as to make it an offense to "agree" to commit prostitution, as it is today to "offer" to commit. This would bring under the care of probation officers a greater proportion of young offenders, who are the more hopeful cases. The second suggestion is much more radical—the institution of proceedings against the customer of the prostitute. The situation is well expressed by Dr. C. C. Pierce, assistant surgeon-general, who says:

> It is recognized by the Public Health Service and all other agencies aiming at the elimination of prostitution that the male partner is equally guilty. Equal treatment for men and women apprehended in prostitution is now demanded by public opinion.

The proposed proceeding may seem drastic to those who cling perhaps unconsciously to some corollaries of the old "double standard" in sex relations, but Frederick H. Whitin, secretary of the Committee of Fourteen, holds that it is no more drastic than the stand against segregation taken by the Chicago Vice Commission in 1910. Ten years have thoroughly discredited segregation; ten years more may as thoroughly establish the penalty for the man.

LAST fall the SURVEY was told in confidence, by the head of a large employing corporation in the East, of an invention nearing the final stages of demonstration which he believed would revolutionize an important mechanism in motive power. Our informant and others associated with the project were considering some scheme of issuing rights of manufacture to the thousands of corporations which would have to embody the invention in their own products, in such a way as not only to secure royalties but to safeguard and enhance labor standards. We asked our readers to make suggestions, and several interesting contributions came in. The only fly in the ointment of this benevolent industrial revolution has been the fact that the invention petered out, and the inventor is charged by his associates with faking. We are not concerned with the merits of the controversy on its mechanical or business sides. The fact remains that the incident provoked a very interesting suggestion as to one way in which engineering advances could be made to count constructively for the social welfare; a suggestion which under some other circumstances might well prove a genuine contribution to progress.

ONE obstacle to the reshuffling of federal bureaus and the simplification of the administrative machine at Washington has been cleared away by the substitution of Mr. Work for Mr. Fall as Secretary of the Interior. While the plan sponsored in turn by Brigadier-General Sawyer and Walter F. Brown, and ardently championed by the President, has been the subject of attack from many sides, those who want no changes at all have been less vocal than those who want changes that others don't want. In the latter group Secretary Fall, until his resignation, was conspicuous. His determination to get the Bureau of Forestry away from the Department of Agriculture, which was equally determined to keep it, made it impossible for the Cabinet to unite in support of the plan. Friends of conservation were aghast at his proposal. Secretary Work, on the other hand, is quite willing that the Department of Agriculture should retain its present responsibility for the forests, and has sealed the bond of friendship with a cordial speech before Secretary Wallace's staff. Though other hazards remain—such as the opposition to the amalgamation of the War and Navy Departments, and the die-hard devotion of the National Education Association to an entirely separate Department of Education—the President has made progress.

"NATIONAL Civic Federation Endorses Release of Political Prisoners," say the headlines. But that is hardly the whole story. What the federation endorses is not amnesty, but parole, that admission of guilt and submission to surveillance which would stick in the throats of men who already have spent years in prison for their ideas. To offer it is only a gesture—useful in that the pressure of public opinion for amnesty may be relieved if the prisoners refuse parole. "Get them out in such a way that you know what they are up to and can keep their ideas from doing any harm, or these amnesty fellows will get them out scot free," was the substance of the argument offered by Archibald Stevenson, who sponsored the measure at the annual meeting of the federation. A faint resolution is as good as any other red herring to drag across the trail.

MANY an enthusiast for the mythical real American urges restriction of immigration lest his own waning family fertility should fail to keep his surname and those of his kind in the telephone books of the future. Will it curb this anxiety to learn that according to the United States census the net increase of the foreign-born in New York City—the gateway of immigration—was only 83,003 in the decade 1910-20, and that a third of this increase was composed of newcomers from the western hemisphere with a claim equal to ours on the title "American"? In the same decade 126,000 New York babies died during the first year of a 100 per cent American existence. One way out of the "immigration peril" is clear: save the lives of the native-born in the year of their birth.

CLOSE on the heels of the admirable report of the Committee on Nursing and Nursing Education (see the SURVEY, May 1, 1923) comes word that its most ambitious recommendation—a professional school of nursing as part of an endowed educational program—is to be realized in two American universities. Western Reserve is first in the field; its school of nursing will be made possible by the gift of $500,000 by Mrs. Chester Bolton. Only a few days later comes the announcement of a similar project at Yale University, underwritten for five years by the Rockefeller Foundation. Both courses are primarily for undergraduates. Both will have generous facilities for field work, in the one case under the Cleveland Department of Health

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and the other of the Visiting Nurse Association of New Haven, as well, of course, as practice work in cooperating hospitals. Eventually there will be graduate courses in specialized fields of nursing. By placing the primary emphasis on the professional education of the nurse instead of the labor needs of the hospital, and by contact with the other departments of a large educational center, these schools will include in a shorter period of time a broader scientific and social training than has been possible under the older system. While the special demands of war time opened the curricula of more than a dozen colleges and universities to nursing courses which carried academic credit, this final testimony to the value and need of adequate professional training comes as a logical outcome of the work Teachers College started twenty years ago when Mrs. Helen Hartley Jenkins gave the first endowment for higher education for nursing ever provided in this country.

Jewish Councils Overseas

ONE of the American reconstruction efforts in Europe of which little has been heard but which has brought forth excellent permanent results is that of the Council of Jewish Women. Its immigrant aid work of many years had kept this organization in such close touch with European conditions that no unusual appeal or incentive was required to convince it of the need for a special effort when in almost all the ports of the Old World the Jewish refugee problem assumed alarming proportions. A reconstruction unit was sent in the spring of 1921 to organize the forces of help to stranded Jewish families—not only in the ports but also in many of the inland cities where refugees were concentrated. The first, emergent service was that of instructing emigrants to America in the English language and in the conditions they would have to meet on this side, to solve their passport difficulties, to place them, when necessary, under special protection or provide them with clothes and other necessaries. Returned emigrants who had been barred at Ellis Island were counselled and assisted in making new connections in their home countries.

Of more permanent importance was the creation of local councils of Jewish women to carry on this work in Amsterdam, Rotterdam, The Hague, Antwerp, Geneva, Paris, Lodz, Riga, Trieste and other cities. Here not only individual service has been organized but social centers with reading and recreation rooms, classes in English, sewing-rooms for women, shoe-repair shops for men, kindergartens and health clinics. To carry on so many activities in so many different places obviously was beyond the resources of a single—and that a foreign—agency. So out of the difficulties of the American society arose the American-European Conference of Jewish Women, with representatives from every Jewish women's social service organization in Europe. This conference met recently in Vienna and was attended by women from England, Holland, Belgium, Switzerland, Germany, Austria, Italy, Poland, Latvia, as well as the United States. One session was devoted entirely to child welfare programs—especially in relation to the children of migrant laborers. Cecilia Razovsky, one of the American delegates, led the discussion in the section on immigration. This conference, writes Mrs. Estelle M. Sternberger, executive secretary of the council, "has welded together the scattered forces that have been working, independently of one another, in meeting this critical situation; it was effective in bringing to the social workers of different lands a clearer knowledge of the political and economic factors that operate in their countries in relation to the refugees and their welfare." Thus the socially minded Jewish women of Europe who chafe, as one of them writes, under "the task of having perpetually to assume the role of suppliants and beneficiaries of American effort," have been given every opportunity of making this important social enterprise their own. What better result could there be of American philanthropy abroad?

Federations in the Majority

AMONG large American cities—those of 100,000 or over—joint financing of social agencies is now more common than the older method of unrelated appeals. The majority has shifted to the federation side: forty-seven cities in this population group are now maintaining community chests or financial federations; thirty-two are unfederated, at least so far as non-sectarian agencies are concerned, though several have well established federations for the support of Jewish philanthropies.

The annual check-list issued by the American Association for Community Organization (to be obtained from the office of its secretary, the National Information Bureau, 1 Madison Avenue, New York) shows that 130 federations are now functioning in the United States and Canada. In them, 2,500 separate agencies, banded together, are raising $36,000,000 annually—which works out at $1.71 per capita for the 21,000,000 inhabitants of these cities.

Some cities have been added to the list for 1923; some have dropped off. Nine cities of more than 100,000 (beside a number of smaller ones) have adopted the federation plan this year: Birmingham, Memphis, Nashville, Newark (N. J.), Norfolk (Va.), Oakland, Oklahoma City, San Francisco and St. Louis. Joint financing was discontinued in Spokane, Utica (N. Y.), Lorain (Ohio), and Parkersburg (W. Va.). The first three of these cities became discouraged after one unsuccessful campaign each. Spokane's difficulty is characteristic of the Northwest, where, according to one observer, givers are drawn from the "first generation of pioneer money-making," and are strongly individualistic. In Utica the chest seems to have succumbed to chamber of commerce promotion of the sort that so nearly wrecked Philadelphia's early efforts. Parkersburg went to the wall after three campaigns in the effort to expand its budget to cover an additional agency; friends of the federation there predict that a year of competitive solicitation will be the needed spur to more effective cooperation.

More casualties may be expected—and more new chests. Too many communities rush into federation in an imitative and thoughtless fashion. Though the roots of federated finance run back to Denver's experiment thirty-six years ago, the modern federation is just completing its first decade. The supply of qualified executives is inadequate; technique is still largely experimental; there are pitfalls on every hand. Chicago and New York are wisely contenting themselves with systematic and leisurely study of joint financing and with the gradual development of non-financial cooperation—city-wide in the case of the Chicago Council of Social Agencies, functional in the case of New York's numerous federated groups. New federations will be the more likely to prove their usefulness if they are built—as in the case of St. Louis, described on p. 231—on foundations carefully and not too hurriedly constructed. Mean-

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while many of the existing organizations need a period of self-examination and slow maturing to bring them to the point where they are adequate tools for community cooperation and not merely successful machines for raising funds.

Florida Makes a Beginning

FLORIDA'S legislature has voted to abolish the leasing of convicts, but the wave of indignation which has brought to a sudden end a system which has prevailed for decades in Florida will not fully accomplish its purpose unless it carries further. County prisoners are still leased out to private contractors in Alabama, Louisiana, Mississippi, North and South Carolina. In North Carolina they work the roads in chain gangs. Until the end of 1923 they will be at work in the coal mines of Alabama; in that state they are working in turpentine camps where conditions are said to be as disgraceful as any revealed by the Tabert case.

Only ten states in the whole country prohibit by law the flogging of prisoners—and the practice is not confined to the South. Official investigation of the Ohio Reform School at Lancaster last year brought out the fact that an average of seventeen boys were chastised every day—lashed on their bare feet, flogged with leather straps, and placed in steel shackles. One boy had had 144 floggings in a year.

In a letter to Governor Hardee, the National Committee on Prisons and Prison Labor points out that Florida cannot right the wrong merely by punishing the persons responsible for Tabert's death, or even by the abolition of leasing or flogging. There is need for the rebuilding of the whole penal system on a constructive basis, which will offer a wage incentive to work, adequate payment of guards so that men of a less brutal type may be secured, and adequate charges against profits on road construction and farm work to meet these extra expenses. Mere idleness is almost as demoralizing to prisoners as the exploitation to which they are now so frequently subjected.

Such a program demands state supervision of both county and state prisoners. Florida herself has demonstrated in the State Prison Farm at Raiford, described by Orlando F. Lewis in the SURVEY for April 9, 1921, that a very considerable improvement in the lot of convicts can be effected under central administration and control. But the task is only begun. There is no state in the union which can afford to frown on the wrongs of the county convicts in Florida until it has set its own jails in order.

Philadelphians Pull Together

"SOMETHING has broken loose in Philadelphia that is affecting the whole life of the city, and it feels good to me."

The words are those of a prominent citizen who had been attending the first all-Philadelphia Conference of Social Work, April 18 to 21. The thought is echoed north and south of Market Street and out in the famous suburbs. The size of the meetings, the quality of the speeches, the spirit shown made a profound impression. There was general agreement that a new tool had been found for building the life of the community.

Twenty meetings were held in four days. The total attendance was 7,200—including more than 2,000 different individuals. At not one of the meetings was the time allowed for discussion—never less than an hour—sufficient for those who wished to share it. Far-reaching and fundamental discussions of housing, mental hygiene, prohibition and inter-racial understanding set a high mark for the conference as a whole. All the last day was given over to inter-racial problems, and Negro speakers of unusual brilliance were heard.

The success of the conference was dependent on help from every quarter. The past three or four years have seen the perfecting of the Federation of Jewish Charities, the development of the Council of Social Agencies of the Welfare Federation, and the strengthening of the Catholic Charities. These three groups of agencies, in addition to many civic and industrial bodies, made it possible to handle the enterprise in a large way that would otherwise have been impossible. Three hundred organizations had a share in it.

The conference will be repeated. But it comes only once a year. Eighteen social and civic agencies in Philadelphia are going to be everyday neighbors in the Social Service Building now under construction. It is a ten-story structure, to be operated on a cooperative basis. The ground was bought and the project is being carried through jointly by the Society for Organizing Charity and the Children's Aid Society, which, oddly enough, shared offices forty years ago on Chestnut Street. They have been moving ever since. The new building will be enlarged when that becomes necessary; additional ground for future expansion has already been secured.

The top floor (in accordance with New York precedent?) will house the Pennsylvania School for Social and Health Work, as well as a library for social workers. The first floor will contain an auditorium to seat five hundred, with dining rooms. The Welfare Federation, the two sponsor organizations, and a rapidly growing list of other agencies will occupy the floors between.

Philadelphians are beginning to enjoy pulling together.

Why Is a Library?

THE Lusk laws, which attempted to regulate the private opinions of teachers in New York State, have been repealed. Yet, because it printed some materials in opposition to those laws, the Outlook was excluded from the library of the state legislature. In spite of the efforts of this librarian, the Outlook goes on and the Lusk laws are dead! The name of the librarian is Skinner.

The Nation, the New Republic and the SURVEY have been discontinued at the library of Clark University. The librarian, according to the Nation, has offered various excuses for this action. President Atwood (yes, this is the same President Atwood) has been trying to formulate an explanation. According to a statement in the Worcester Telegram, he says: "It became necessary to drop many magazines and to add others, it being apparent that the library could not subscribe to all and that some choice would have to be made." One Worcester correspondent suggests that the president has not been entirely disingenuous in his explanations. This correspondent writes: "The SURVEY, along with the New Republic and the Nation, has been discontinued because of the position of the president and librarian that periodicals dealing with current events are not fit for consumption by the undergraduates."

The care which college authorities are now using in selecting the mental pabulum of students is astonishing. For example, one of the topics suggested for discussion at the twenty-fifth annual conference of Ohio college presidents and deans, held in Columbus on March 29, 1923, was, "Is

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it advisable to make real to the students questions of national and international importance?" It is not altogether unlikely that some of the students know more about such questions than do the somewhat uneasy presidents and deans! But to return to our chops!

Liberal weeklies were barred from a number of school libraries in the West during the war. Portland, Oregon, and Los Angeles schools attempted to protect their pupils from "doctrines that seek to alter the established theory of American government" by this means. The school man is, perhaps, the most famous example of the ostrich family. He buries his head in the sand and assures himself that nothing is happening. And the community rather likes to have him so. But something has begun to happen again.

In Los Angeles the issue has escaped into the community and is running wild. The board of education has been asked by some of the teachers to rescind the old order. The teachers think that their pupils should have the use of these liberal magazines in the study of public affairs and current social questions. But the opponents hold that if these magazines are restored to the libraries and class-rooms, the schools will be giving the stamp of their approval to all the doctrines that appear in them. These opponents hold that the schools should teach history and good citizenship, and that they should carefully protect the immature minds of the pupils from "insidious propaganda"—which may or may not be a pen-name for truth.

Progress in the Hills

The gift of $1,000,000 and 16,000 acres of rich timber lands, to establish a fund for the educational, agricultural and economic development of the mountain counties of eastern Kentucky, was recently announced. E. O. Robinson, the donor, has entrusted the fund to the University of Kentucky for administration. We asked Miss Pettit, who with Miss May Stone of the Hindman Settlement School led the way into the hills years ago, and who now guides the work of the Pine Mountain School, to sketch the outlines of the present need and opportunity along Greasy Creek and Laurel and in the other isolated little valleys where her neighbors live.

TWENTY-FOUR years ago this May I spent a month walking from the Virginia Mountains across into a remote part of the Kentucky Mountains, visiting every house. This last statement is not strictly true, for often we found a house empty, and the entire family at work in the fields. There was no railroad within fifty miles and the old-fashioned life of a pioneer farmer was the only kind. This was unbelievably simple and primitive. We met some men and women who had never been to the county seat, only a few miles away. Few houses had any windows, there were no sheets, feuds still raged, and every man, carrying his own pistol, was a law unto himself. He had to right his own wrongs, if they were righted. Contact with the outside world came only through an occasional traveling preacher, an outsider interested in coal or timber, or a lawyer who was examining titles. We stayed overnight wherever we happened to be when dark came. People did not always know what we meant when we asked to have prayers, but in the morning, when we asked the price of lodging, the invariable reply was, "Nothing but a promise to come again and stay longer."

This May day finds a great change on the far side of the mountain from the railroad—a change for better and for worse. A settlement school has been here for ten years. Significant of its work are better homes, some of them provided with cellars, some of them with a two-sheet standard, and with well-cooked food, chosen with a regard to its value. The improvement in the health of the babies is especially noticeable. Many schools are provided now with toilets and the older children are learning how to take better care of themselves and are being helped in this by medical examination and care. At the settlement school is a stone church, the only church building for many miles along the mountain.

On the other side, the changes are many of them for the worse. Every few miles up the river, the train stops at little mining towns. At most of them, sanitary conditions and water supply are deplorable. For the old life of outdoor toil with its freedom and independence, the new industrial order has little to offer. There are as a rule no playgrounds, no gardens, no churches, sometimes no schools, but there is a commissary, where finery and canned food may be bought. A neighbor of ours who had been over to visit a married daughter in a mining camp, said: "They don't do no work; they think they've got to have 'em a hired girl, and a new silk dress before the one they've got is worn out." The young girl who washes dishes in a boarding house in the mining camp for $25 a month, a sum of money which her father probably would not have collected in six months, walks back across the mountain to visit her lonely little home on the steep hillside, chewing gum and wearing high-heeled, patent leather shoes and a silk dress, and afflicted with a venereal disease which was unknown a generation ago.

The industrial change has to be met squarely, but the deterioration it has brought could be offset if each mining camp had a center for all sorts of settlement activities. These might be managed by the Y. M. C. A. or the Y. W. C. A. or health organizations. Better teachers must be found for the country schools. Industrial training is needed both in country schools and in special schools. Church organizations should see to it that the men they send into the mountains are practical Christians rather than theologians. Just as everywhere else, there is need for the right officers to enforce the "pistol-toting" and prohibition laws.

Schools where mountain farmers may be practically helped are greatly needed. The old method of cutting down a forest tract for raising a crop can no longer be followed, the land is so nearly gone; and the farmers must learn to terrace their denuded hillsides and conserve the soil. A movement for reforesting sections of the mountains which have already been cut contrary to modern forestry regulations should be inaugurated. More and more, the remote sections will be confronted with changed industrial conditions, which can be met with less loss if the people are prepared with better education, knowledge of better living conditions, and higher ideals for their children.

The greatest need of the mountains is for contact with the right people. In twenty-eight years I have seen many splendid, well equipped workers, who loved to live among the mountain people, leave this country because they could not afford to stay. If workers here could be assured of a pension, or have an adequate salary from which to set aside something for old age, the immense value of steady, friendly relations would be secured. Few city-trained social workers can qualify for mountain work, because of our different approach. Nothing can ever be so significant for the mountain people as constant, quiet contact with friends and teachers—living among them—who have wider experience, and who are modifying day after day, in unnoticed ways, the ideas and standards of the mountains.

KATHARINE PETTIT

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Medieval Washington

By Mina C. Van Winkle

Seventeen years ago the SURVEY*—then called Charities and the Commons—published a special number in which Washington the fact was contrasted with the model city that the national capital might be and ought to be [March 3, 1906]. We said then: "The Washington Monument has a stone from every state in the union. The civic neglect of the District of Columbia comes from the same quarries." That civic neglect is still evidenced in congested alleys, primitive child care, outgrown hospitals, yawning gaps in the defenses aaginst mental and moral disease. Main Street governs Washington, but Washington lags pitifully behind Main Street. The cure must be sought not alone under the shadow of the Capitol, but in the home town of every delegate to the National Conference. Here is a task to be carried home to central councils and settlements and clubs and charity organizations—a more remote but not less genuine responsibility than the welfare of Main Street itself.*

SOCIAL workers of Washington, through their Monday Evening Club, took stock this past winter of their local problems. The findings were not flattering. Worse than that, even with a clear view of the facts, local workers, lay and professional, were unable to persuade Congress to take the obvious steps to remedy outstanding evils.

For years Washington has had its alley problem. Charles F. Weller broadcasted the facts seventeen years ago. The alleys are still with us, and in them, according to a recent police census, live 9,500 people, mostly Negroes. In desperation the last Congress ordered these alley dwellers to get out by June 1, 1923. But they have no place to go. Congress did not accept the recommendation of the commissioners of the District, backed by many of our social workers, that wholesale alley evictions be postponed for two years or until building costs are lower and the present housing scarcity is abated. Unless the courts intervene and grant a stay for the sake of public welfare, immediately following the great fiftieth anniversary of the National Conference 9,500 persons will be dispossessed as rudely and unceremoniously as the Armenian refugees and, like them, with no place to go. Houses on the street are already overcrowded. Such street congestion is worse in many respects than present alley conditions.

Standards of child placement, enunciated fifteen years ago at the famous White House Conference called by President Roosevelt, are still challenged in the District of Columbia. The challenge has found favorable echo in the halls of Congress, where it took the extreme form of providing in the district appropriation bill, as it came from the House Committee on Appropriations for the District of Columbia, an amendment forcing the Board of Children's Guardians to fill to capacity a public institution to which the Guardians had ceased to send its children, before a single child could be boarded out through public funds. Fortunately, this provision was fought on the floor of Congress and was eliminated, though by a close vote.

Washington's school situation is serious. Many of its children are attending half-time classes. Its teachers are underpaid. Its compulsory education law is antiquated and ineffective. Have social workers and educational authorities quietly accepted this state of affairs? They have not. They have petitioned, besieged the halls of Congress, and have asked to be taxed more heavily. A teachers' salary bill and a compulsory education bill, which had passed the Senate, were blocked in the House and lost in the closing days of the last session.

But why go further? Washington has the Federal Children's Bureau within its borders. This bureau has worked out standards. Its experience is at the service of Congress, but apparently its advice is seldom sought. If legislators neglect such opportunities for guidance, can we marvel that the lay public discounts expert advice and is content with a local and personal viewpoint?

Washington has 160 beds for tuberculous patients. A large tract of forty acres, on which the Municipal Tuberculosis Hospital was erected as the first unit of a group of public hospital buildings, has been reduced to ten acres by the cutting through of an important artery of travel and the dedication of the remaining space to school purposes. The hospital itself, which was considered a model when it was erected, is already outgrown. It is constructed on the large ward plan, affording little opportunity for the classification of patients according to their individual needs. The residents of the neighborhood are determined that the work of the hospital shall not be developed on its present site, and have secured an injunction against the erection of a school for tuberculous children on part of the tract. Furthermore, Washington is without adequate sanitarium facilities for incipient adult patients or for children.

The city hospital, known as Gallinger Hospital, has just completed a new psychopathic ward, but is burdened by a number of old, unsanitary buildings—still in use—in which it is impossible to carry on medical work along modern lines. Ridiculously low salaries are paid and there is a great lack of comforts for nurses, attendants and other employes. The superintendent, unable to secure the necessary personnel, is obliged to use prisoners from the jail to do much of the work!

While the House of Detention is completely equipped with every physical requirement, including a clinic, the Board of Health has been unable to furnish physicians and psychiatrists because of insufficient appropriations and it is necessary to take children to and fro all over the town to secure the services of private physicians and psychiatrists.

The salaries paid public health officials are by no means comparable to those paid by other cities of equal size and importance. The Health Officer receives $4,500. The Chief Medical Inspector of the public schools, with the health of 60,000 children in his keeping, is paid $2,500.

This brings us at once to the matter of low salary scales for social and health workers in the District of Columbia. The salary of the secretary of the Board of Charities is $3,500; that of the executive of the Board of Children's Guardians, with 2,400 wards under care and supervision, is $2,040. Should either of the present incumbents fall out,

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the difficulty of filling their places with experienced specialists, in competition with similar positions elsewhere, is apparent. These and other salaries of social workers are entirely dependent upon the good will of Congress and its acceptance of proper standards of expert service.

Washington has no workman's compensation law and no effective child-labor law. Congress has steadily refused to provide for child-labor inspectors. The minimum wage law of the District of Columbia has been declared unconstitutional by the United States Supreme Court. This is the only place in the whole United States which has no venereal disease control law. Measures for the repression of vice are so inadequate that, together with the cash collateral system, they make a farce of the law which does exist. The whole court system needs reorganization and more judges. Hundreds of cases are nolle prossed every year and cases hang over for two and three years at a time. It is not uncommon to find men in jail for a year or more awaiting trial. Insanity cases are still tried by jury. Women are not yet admitted to any jury in Washington. There is no institution for the feeble-minded, although a survey conducted by the Children's Bureau in 1915 revealed the fact that there were 798 cases of feeble-mindedness in the District. The District has no reformatory for women, and insufficient adult probation.

It must always be remembered that the District of Columbia is without a local legislature and is wholly dependent upon Congressional action for its laws and its appropriations. It is administered by three commissioners who are obliged to appeal to Congress for everything except the enforcement of city ordinances, for which money is already appropriated. New legislators come to Washington whenever Congress meets, well informed about the interests of their constituencies, but, for the most part, entirely ignorant of the local problems of the national capital which they are called upon to govern.

There are, to be sure, certain outstanding public men who have materially helped the District. Senator Curtis, the Republican whip, has been a friend of every local undertaking for the public good. Thomas R. Marshall, as Vice-President, did much to promote child welfare. Senator Smoot secured for Washington its House of Detention; several other senators and representatives are sympathetic and helpful. But the prevailing reaction in Congress to the social problems of Washington is general apathy. This attitude is reflected in the largest group of citizens: the government employes, whose interests lie largely in the states from which they come.

Two things are necessary for progress. If the many citizens' associations, women's and men's clubs, churches and other local groups which are intelligently interested in social enterprises would go before Congress with a common plan, much could be accomplished which is doomed to failure now because of the general conflict of opinion. Given local unity, there must be strong and intelligent pressure from local constituencies throughout the country which share the responsibility—through their elected representatives—for the well-being of Washington.

Is Washington Finished?

By Harlean James

THE L'Enfant Plan for Washington is the one city plan about which everybody knows. School children are familiar with the reproduction of the original map, with the wide swath of Grand Avenue (now the Mall) extending from the Congress House to the President's house, the cross axis from what is now Lafayette Square through the President's house and the proposed site of the "equestrian figure of George Washington, a monument voted in 1783 by the late Continental Congress," to the banks of the "Potowmac" River, with the cross pattern of broad diagonal avenues superimposed on the old gridiron of irregular rectangles, with the grand canals and the dotted lines to suggest remote extensions of the avenues into the wilderness of the District of Columbia, as yet unsettled.

Perhaps for the very reason that the beginnings of Washington were so admirable Americans have been inclined to over-complacency about the development of the federal city. Comparatively few realize that in spite of the skepticism of the fathers—Congress returned to Virginia and Maryland a part of the precious ten miles square of the original district because it did not appear that enough people would ever come to live on the streets so ambitiously marked off—the city has far outgrown the limits of L'Enfant's design.

Mistakes have been made even in carrying out that plan. The Treasury Building, beautiful in itself, is quite out of place in its sunken site which blocks the Pennsylvania Avenue approach to the White House. The Washington Monument was placed out of alignment with the proposed cross-axis of the Mall, though now that equestrian statues prance on the skyline of nearly every tree-lined vista in the city we may be thankful that the first plan for a statue of the Father of His Country on horseback was abandoned in favor of the existing shaft.

We have become reconciled to the Treasury blunder and we have made a new axis for the Washington Monument, placing the Lincoln Memorial in line with the Capitol, the Grant Memorial and the Washington Monument, and we expect to continue the line across the new bridge into Virginia. Twenty years ago, moreover, when areas outside of the original L'Enfant Plan were being settled, the need for further planning was recognized. Senator McMillan, then chairman of the District Committee, called into consultation Daniel H. Burnham, Charles F. McKim, Augustus Saint-Gaudens and Frederick Law Olmsted. Their restudy and extension of the L'Enfant Plan saved the District from making many serious mistakes; but errors had already been made, and—still more unfortunately—all of their recommendations have not been followed.

With its growth greatly accelerated by the war, Washington now needs new plans and new applications of old plans in order to keep pace with the living standards adopted by this generation.

In the matter of parks, the L'Enfant Plan provided for many squares and triangles at street intersections as well as a few small parks. Since that time Rock Creek Park

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and Potomac Park have been developed; but Rock Creek Park, which even in Roosevelt's day was wild, rugged country, is now a crowded city park, and in the more recently developed Potomac Park a close procession of automobiles, three abreast, may often be seen circling the much-used golf links or parked around the polo field. Both of these parks are far removed from many thousands of the residents of Washington. In all northeast Washington Stanton Park, a small square, is the only park of any size. The "Patterson tract" has been recommended for purchase as park land and was included in last year's appropriation bill, but together with the Piney Branch Valley, another park project, was dropped from the bill before passage. A great part of Piney Branch is now being filled and row houses erected on the newly made ground. An expensive bridge put up not so long ago to carry Sixteenth Street northward will shortly be rendered useless because the earth fill will obliterate its arches as well as the trickling stream which wound its way between wooded banks.

Looking down the Mall past the Smithsonian Tower to the Washington Monument

Washington is backward even in playgrounds. The first public playground in the city was organized in connection with Neighborhood House in 1901. Others have been added year by year, but if the present playground area of forty acres (partly owned and partly leased) were doubled only one-third of the children of the District could be served. There are far too many school buildings without adequate play space. In the older sections of cities this is apt to be the case unless the authorities are courageous enough to clear away buildings to make room for playgrounds. Even in the newer sections of Washington school sites are not always secured in time to provide schools rightly located and with proper provision for surrounding space.

Twenty years ago it was recommended that the Civil War forts which surrounded the capital should be joined in an outer parkway which would connect with Rock Creek and Potomac Parks. Only four of the forty forts have been acquired.

We all agree that the Capitol dome in the moonlight, standing high on its hill, is a vision to thrill the weariest sightseer. Before the white shaft of the Washington Monument, rising from the green into the blue, we bow our heads. Beside the massive pillars of the Lincoln Memorial, with the sunlit expanse of the tree-bordered lagoon behind us, we feel the majesty of the awkward figure sheltered there. We like the homely, unpretentious house of the presidents. We enjoy the shade of the trees which arch over streets which seem less hurried and more serene than the streets of other cities. We linger in the cheerful squares under a favorite copper beech or a spreading elm.

Washington has so much that is beautiful that we are all the more shocked to find crumbling shanties crowded in between the Mall and Pennsylvania Avenue. Indeed, measured by the picture L'Enfant must have formed of this broad avenue, the present hodge-podge of small shops and tall office buildings plastered with brightly colored advertisements by day and brilliantly lit monstrosities by night, does not speak well for our generation. Nor is it to our credit that the alley dwellings to which Mrs. Van Winkle has referred still constitute an unsolved problem. Even though many of the most notorious of these houses have been converted to other purposes or demolished, those which remain stand between Washington and decent housing. The problem is an old one; it will not be settled until it is settled right, and that will be impossible until some method is found for providing substitute dwellings within the means of those dispossessed of their present homes.

Washington is not finished. It is in the making. Because it belongs to the nation, and because the nation has been forgetful of its future during these years of preoccupation with more pressing problems, the American Civic Association is organizing committees on the federal city—not alone in Washington but in all of the larger cities of the country—to focus public attention on its development. From the Washington committee, under the leadership of Frederick A. Delano, will come accurate information. From responsive groups the country over will come, it is hoped, an intelligent and forceful opinion which will safeguard not only the beauty of the capital, but its efficiency and well-being as a growing city. Neither as a symbol, nor as a workshop, is the federal city adequate to-day.

Sketches by Robert L. Dickinson, See page 234

The Japanese cherries in blossom by the Tidal Basin. In the background, the Lincoln Memorial

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The Minimum Wage—What Next?

SEVEN GOVERNORS AND A SCORE OF CITIZENS DISCUSS THE DECISION AND THE WAY TO FURTHER PROGRESS

With a Foreword by Henry R. Seager

THE minimum wage decision is the most severe blow which progressive American labor legislation has yet received at the hands of the Supreme Court. In this case it was not a new and untried experiment that was to be passed upon nor even an issue that was for the first time before the court. The decision involved rather a reversal of what had come to be accepted as an established constitutional principle. To be sure, in the Oregon minimum wage case the issue was the interpretation of due process as prescribed for state legislatures by the Fourteenth Amendment, rather than as in this case, due process as prescribed for Congress by the Fifth Amendment. Also the decision in the Oregon case by a four to four vote was a Scotch verdict of "not proven" rather than a confident affirmation of constitutionality. But it is hardly conceivable that the Supreme Court will attempt to draw a distinction between due process as prescribed for Congress and due process as prescribed for the state legislatures and since several states have enacted minimum wage laws on the assurance which the Oregon decision seemed to convey that they would be constitutional, the practical result is a reversal. Moreover, the reversal is virtually by one vote. The very circumstances which caused Justice Brandeis to abstain from voting in this, as in the Oregon case, carry the assurance that, had he voted, the result would have been four in favor of the law with five against instead of the three in favor with five against of the official record.

Thus, we again have an illustration of the enormous power and influence which our system vests in one or two Justices of the Supreme Court. In this case the votes of Justice Sutherland and any one of his four associates virtually overruled the reasoned conviction of his three colleagues, including the Chief Justice and the oldest and most experienced member of the court, Justice Holmes. It also overruled the conviction registered by both houses of Congress when they enacted the statute and by the President when he approved it. Prospectively it further overrules the judgment of both houses of some thirteen state legislatures, of the executives of these states, who approved their minimum wage laws, and of the highest state courts which have sustained such acts as constitutional.

The great responsibility which rests upon an individual or group which thus sets aside the reasoned convictions of others is clearly recognized by Justice Sutherland in his opinion. This did not deter him or his colleagues, however, from proceeding to make their judgment the law of the land in the interpretation of a phrase in the constitution which is admittedly vague and indefinite and which, as the Supreme Court has declared over and over again, must be given a progressive interpretation to meet the changing conditions of our economic life.

Turning to details of the majority and minority opinions the student of economics could ask for no better refutation of the views presented by the majority than is to be found in the carefully reasoned views of the minority. Justice Sutherland says:

> In view of the great—not to say revolutionary—changes which have taken place since that utterance [the decision in the Oregon case upholding the ten-hour law for women] in the contractual, political and civil status of women, culminating in the Nineteenth Amendment it is not unreasonable to say that these differences (between the sexes) have now come almost, if not quite, to the vanishing point.

To this Chief Justice Taft cogently replies:

> The Nineteenth Amendment did not change the physical strength or limitations of women upon which the decision in Muller *vs.* Oregon rests.

And earlier:

> If it be said that long hours of labor have a more direct effect upon the health of the employee than low wage there is very respectable authority from close observers disclosed in the record and in the literature on the subject quoted at length in the briefs that they are equally harmful in this regard. Congress took this view and we cannot say it was not warranted in so doing.

Justice Holmes observes:

> I confess that I do not understand the principle on which the power to fix a minimum for the wage of women can be denied by those who admit the power to fix a maximum for their hours of work.

Justice Sutherland quotes at great length and with evident satisfaction the opinions expressed by Justice Peckham in the decision nullifying the New York ten-hour law for bakers. As to this Chief Justice Taft declares:

TO the governors of all the states in which minimum wage legislation is now in force, or pending, and to representative employers, labor leaders, economists, lawyers and social workers, the Survey addressed the following invitation: "Because of the unusual significance of the decision of the Supreme Court declaring the District of Columbia Minimum Wage Act unconstitutional, we plan to publish the comments of a number of outstanding citizens upon the decision. If you concur with the majority opinion of the court, will you please emphasize your suggestions as to how the abuses which minimum wage legislation aimed to correct may be overcome. If you dissent from the majority opinion, will you please stress your suggestion as to how the barrier to social legislation of this type may be removed?" The replies are published on the following pages.

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It is impossible for me to reconcile the Bunting case [upholding an Oregon general ten hour law for men and women in mills, factories and manufacturing establishments] and the Lochner case [holding the New York ten hour law for bakers unconstitutional] and I have always supposed that the Lochner case was thus overruled *sub silentio*.

Thus at every important point the arguments which seem convincing to Justice Sutherland and his associates seem inconclusive or beside the mark to Chief Justice Taft, Justice Sanford and Justice Holmes.

To those in close touch with the trend of opinion among the wage-earning masses of the country, the willingness of a few men who happen to have been appointed Justices of the Supreme Court to place an interpretation on the vague and general clauses of our written constitution which makes that instrument a straightjacket to prevent Congress and the state legislatures from developing in this country protective labor laws of the same general type that has become common in other progressive countries, represents a menace to the stability of our established institutions vastly more serious than that of socialists, communists, bolshevists, or any other group of "labor agitators." The fulminations of the agitator will carry little weight provided the legislation of the country is permitted to develop along progressive lines. But unless some remedy be found for the system which permits one or two individuals whose training and experience have prevented them from understanding the economic conditions that confront modern wage earners, to nullify needed legislation, a situation must inevitably develop where revolutionary preachments will gain the support of great groups of people who otherwise would remain peaceful and law-abiding.

In the varied and representative comments which follow, several possible remedies are proposed. As regards the particular legislation at issue Governor Smith and many others advocate that we fall back on the Massachusetts noncompulsory form of minimum wage law which creates a minimum wage board and empowers it to fix standards and to publish the names of employers who do not comply with them, but goes no further. In states which have tried the minimum wage system and in which it has the support of public opinion such a method of enforcement should prove effective as it apparently has in Massachusetts.

A second and more fundamental remedy, urged by nearly all of the contributors to this symposium who believe in minimum wage legislation, is some form of amendment to the constitution which shall deal squarely with the power of the Supreme Court to annul state or congressional statutes as unconstitutional. In my own judgment the exercise of such a power by the court is necessary under our system of government to hold the balance between federal and state authority, but I can see no good reason why it should not be limited by the requirement that at least two-thirds rather than a bare majority of the justices must concur in order to hold a statute unconstitutional. It cannot be too frequently emphasized that our whole plan of government aims to vest legislative power in the recurringly elected representatives of the people. The only justification for maintaining the right of the courts to nullify legislative acts is that the laws of the country from whatever source derived must harmonize. Unless as many as two-thirds of the justices are convinced that a statute fails to harmonize with the law laid down in the constitution, it is clear that the issue is a doubtful one and doubtful issues, as the Supreme Court itself has repeatedly affirmed, should always be resolved in favor of the power of the legislative branch to enact such laws as it deems expedient. If such an amendment had been in force neither the New York ten-hour law for bakers nor the present minimum wage law would have been annulled and the progress of American labor legislation would have been little if at all impeded by the constitutional obstacle.

The third remedy proposed, a constitutional amendment expressly permitting minimum wage legislation, seems to me to concede too readily that the present decision must be accepted as final. In the case of federal child-labor legislation, the method of amendment is the obviously desirable method because what is wanted is a different division of powers between Congress and the state legislatures than that prescribed by the constitution. As regards minimum wage legislation what is wanted is not a different division of powers but a more liberal interpretation of the due process requirement.

Though the decision is a great disappointment its significance must not be exaggerated. It is rather a matter for congratulation that two of the four justices appointed by a conservative president in a period when public opinion was reactionary with reference to all labor issues should have stood firmly for such more liberal interpretation. Judging from the present trend of opinion and teaching in the law schools of the country and from the gradual revival of progressive thinking, after the post-war reaction, in every section, there is good ground for hoping that the next appointees to the Supreme Bench will share the enlightened views expressed by Justices Taft and Holmes on such issues rather than those of Justice Sutherland and his associates. If, while the process of enlightenment is going on, we could secure an amendment to the constitution which would weaken the power of those who are too ready to set aside the decisions of our duly chosen law-makers, we should improve the chances not only of reasonable minimum wage laws but of all progressive measures. It is along these lines rather than along those of piecemeal constitutional amendment that the true path of progress seems to me to lie.

Since the Decision

A conference of governors to formulate and support a constitutional amendment authorizing minimum wage laws has been suggested by Governor Hart of Washington.

Existing state minimum wage commissions have announced their intention of enforcing their state laws with vigor and, in case of interference, of appealing to the Supreme Court.

The minimum wage commission of the District of Columbia is prevented by lack of funds and a temporary injunction from continuing to function even in the enforcement of the minimum wage for minors.

Constitutional amendments requiring a 7-2 or 6-3 vote in the Supreme Court to override state or federal laws will be offered in the next Congress by Senators Borah and Fess; Senator LaFollette proposes an amendment to remove from the court the power of final veto.

The National Consumers' League is obtaining analyses of the decision by authoritative economists and by eminent constitutional lawyers; and is drafting a constitutional amendment, to permit minimum wage legislation, which will be offered for discussion at the National Conference of Social Work.

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We Have the Honor of Presenting—

George W. P. Hunt
Governor of Arizona

William E. Sweet
Governor of Colorado

J. A. O. Preus
Governor of Minnesota

Alfred E. Smith
Governor of New York

Walter M. Pierce
Governor of Oregon

Louis F. Hart
Governor of Washington

John J. Blaine
Governor of Wisconsin

Edward A. Filene
Merchant, Boston

Charles Cheney
Cheney Brothers, Manufacturers, South Manchester, Conn.

J. E. Edgerton
President National Association of Manufacturers, New York

Samuel Gompers
President American Federation of Labor, Washington

William Z. Foster
Secretary Trade Union Educational League, Chicago

Florence Kelley
General Secretary National Consumers League, New York

Alice Paul
Vice-President National Woman's Party, Washington

Mary Anderson
Director Women's Bureau, Department of Labor, Washington

Josephine Goldmark
New York

Frances Perkins
Industrial Board, New York State Department of Labor, New York

Rev. John A. Ryan, D.D.
Director National Catholic Welfare Council, Washington

F. Ernest Johnson
Research Secretary Commission on the Church and Social Service, Federal Council of the Churches of Christ in America

Joseph Lee
President Playground and Recreation Association of America, Boston

W. Jett Lauck
Economist, consultant to United Mine Workers and railway brotherhoods, Washington

John R. Commons
Professor of economics, University of Wisconsin, Madison

John B. Andrews
Secretary American Association for Labor Legislation, New York

Zechariah Chafee, Jr.
Professor, Law School of Harvard University, Cambridge

Ridiculous Reasoning

The decision of the United States Supreme Court in declaring the women's minimum wage law unconstitutional is in harmony with the long list of recent decisions of the court annulling humanitarian legislation.

Judging from opinions of the court, it is constitutional to go to any lengths to protect property. It is perfectly constitutional to tax the American people to guarantee investors in business enterprises a return upon their investment, but judging from the opinion of the Supreme Court in child labor and minimum wage cases, it is not constitutional to do anything to protect and conserve the lives and health of women and children. The unwarranted and indefensible usurpation of authority by the Supreme Court in defiance of public opinion in declaring the acts of Congress and state legislatures unconstitutional when they seek to conserve human life, should bring just condemnation upon the court.

In my opinion the time has come in the United States for the people of this country to take back from the Supreme Court the unwarranted authority usurped by it in declaring acts of Congress unconstitutional. I believe the only logical way to attain this end, in view of the existing conditions, would be to add a new section to the constitution expressly defining the authority of the Supreme Court in passing upon the acts of legislatures and of Congress.

Reverting again to the decision of the Supreme Court in the minimum wage law, I think the reasoning with reference to the "right of contract" comes close to bordering on the ridiculous.

GEORGE W. P. HUNT
Governor of Arizona

Curb the Court!

I am greatly disappointed by the decision of the Supreme Court with regard to the minimum wage. I am unable to understand how under the Esch-Cummins law capital can be guaranteed a minimum return but labor must shift for itself. After the Oregon case decision I had supposed the principle of the minimum wage for women to be definitely established. I regret the fact that a reactionary Supreme Court can set aside legislation in behalf of humanity and would heartily approve an amendment to the constitution making it impossible for the Supreme Court to set aside an act of Congress.

WILLIAM E. SWEET
Governor of Colorado

Respect the Court

Not having had an opportunity to examine the opinion of the Supreme Court in the minimum wage case, I am unable to express any opinion regarding the effect of the decision on state laws or to discuss other possible means of restraining abuses that minimum wage laws are designed to prevent. I sincerely trust that some means may be found within the powers of Congress to prevent exploitation of female and minor workers by the payment of an inadequate wage.

In common with all good citizens, however, I entertain the most profound respect for the wisdom and integrity of members of the court and trust that the beneficent purposes of minimum wage legislation will not be made the cover of the sinister purposes of anyone whose real object may be to promote unwholesome criticism of the court or of that vital and distinctive principle of our form of government by which the restrictions and limitations on governmental powers prescribed in the constitution, whether legislative or executive, are vitalized and preserved by the courts. The purpose of providing some adequate remedy to prevent the abuses aimed at by the minimum wage law will be accomplished, if at all, by calm and deliberate consideration of the principles involved and the objects to be attained, and not by promoting discord or by fostering a sentiment of distrust in the wisdom and integrity of the court.

Neither should we advocate some hasty and ill-advised change in fundamental provisions of the constitution that might be available to accomplish some specific beneficent purpose while other grievous and disastrous evil effects are overlooked. An independent, fearless and untrammeled judiciary is peculiarly essential to our form of constitutional government to the end that the exercise of all governmental powers, whether beneficent or tyrannical in their purposes, shall not be permitted when clearly not included in the provisions of the Constitution.

I assure you that it will be my pleasure to cooperate in every possible way to assist in any effort to protect the rights of female and minor workers, and the Industrial Commission of this state,

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which has charge of the enforcement of our minimum wage law, is anxious to render every assistance that is possible.

J. A. O. PREUS
Governor of Minnesota

The Massachusetts Plan for New York?

In my first message to the legislature, I urged the enactment of minimum wage legislation to secure a living wage for women and minors in industry. From the standpoint of the welfare of the state the economic soundness and the desirability of such legislation seems to me to be beyond question. However, the United States Supreme Court, in passing upon the minimum wage law for the District of Columbia, similar to that which I recommended, has just held it to be unconstitutional as an invalid interference with a woman's freedom of contract.

As a practical matter, I do not think it advisable for the legislature to pass a statute in this state in a form similar to that which was condemned by the Supreme Court in the case of the District of Columbia. I feel, however, that some legislation on this subject which will pass the test of judicial scrutiny should be enacted promptly. I, therefore, recommend a law providing for the creation of a minimum wage board within the state Labor Department to consist of three members to be chosen by the governor.

This board should have power to investigate wages and working conditions of women and children in order to determine whether the wages paid are adequate to meet the necessary cost of living and to maintain them in good health. If, after such investigation, the board has reason to believe that a substantial number of women and minors employed in any industry investigated receive less than a living wage, the board should be empowered to appoint a wage conference, consisting of an equal number of representatives of employers and employes of the industry and of one or more persons representing the public. The minimum wage board, on the recommendation of the conference so established, would then determine the amount of the living wage to women and minors in the occupation investigated. The board would recommend the payment of such living wages by employers, but have no power to enforce its determinations. The board should also have the right to publish the names of employers who fail to carry out its recommendations.

The amended bill will, of course, be less effective than the measure originally proposed, but it will at any rate create a permanent state agency to investigate and make public the facts as to wages and cost of living of women and minors in industry and will establish a state policy in favor of a living wage for such women and minors. I am convinced that with the facts before them most employers will deem it not only a humane act but good business to comply with the recommendations of the minimum wage board.

In the course of the majority opinion, the United States Supreme Court said: "The ethical right of every worker, man or woman, to a living wage may be conceded and with that principle and with every legitimate effort to realize it in fact, no one can quarrel." I believe that every effort should be made to give effect to that ethical right which the Supreme Court itself concedes.

ALFRED E. SMITH
Governor of New York

Protect the Untrained Worker

America's tremendous growth as an industrial nation has brought with it, as most large movements do, certain disadvantageous social problems. As gigantic plants have been reared, machinery has replaced the hand worker, and industry has developed into a highly technical operation, the business of making a living has become a serious problem with the untrained people of the nation. The problem has become so serious that it is properly considered a problem of government.

It is neither humane nor wise socially to allow the untrained to become public charges or worse through lack of a living wage. It is detrimental to the future of individuals as well as the nation to permit child labor under improper conditions. Since the untrained and young cannot hope to stand up under the competition and demands of industry, only government has so far been able to afford them protection.

That protection has been swept away by the ruling of the Supreme Court of the United States on the constitutionality of the minimum wage law. A barrier has been raised against such protection by government. Without any other obvious way to turn, it now becomes a problem of how to remove the barrier. Naturally, the first thought and perhaps the most logical, is to alter the constitution to permit passage of minimum wage and child-labor laws. That is not an insurmountable task, and it is one which I believe should be undertaken immediately and a purpose which should be prosecuted vigorously.

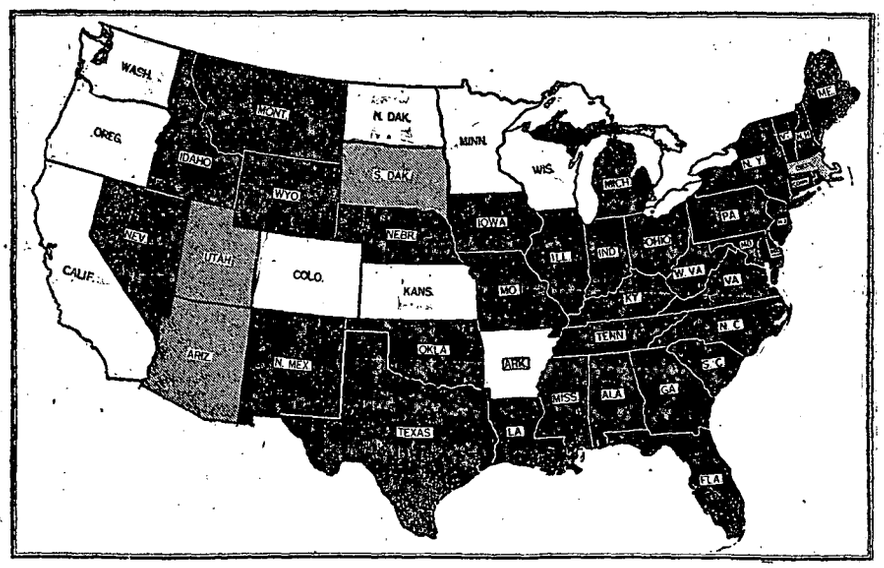
To that end, Governor Hart of Washington has already suggested a conference of governors. I have gladly joined with him in the movement. The less fortunate and young of the nation demand protection, and I consider it highly important that they receive it. A constitutional amendment seems to be the means.

WALTER M. PIERCE
Governor of Oregon

A New Dred Scott Case?

It is apparent that the Supreme Court has divided on this matter as it has on all other matters affecting the right of Congress to enforce police power over the District of Columbia. The right to fix a minimum wage is an exercise of police power for the protection of the health and morals of the people. Any business or industry which cannot continue or operate successfully and pay its employes a reasonable wage that will give them a decent living is not a desirable business or industry to be established or fostered in any part of the United States.

Too long has Congress delayed submitting a constitutional amendment that



WHERE WOMEN ARE PROTECTED BY MINIMUM WAGE LAWS

The white states are those which have a mandatory law providing that minimum wage rates be fixed by a commission; the shaded states—Arizona, South Dakota and Utah—also have a mandatory law, but it provides that wage rates be fixed by law; Massachusetts has a non-mandatory law, with wage rates fixed by a commission

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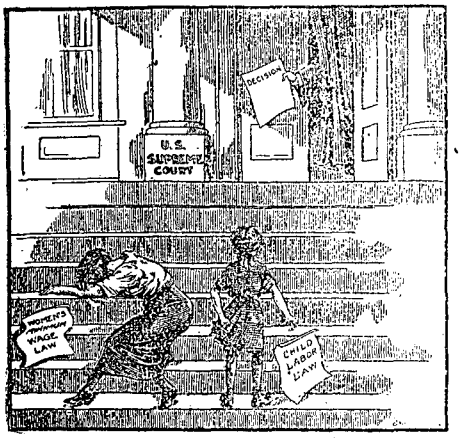

John M. Baer in Labor
"UNCONSTITUTIONAL!"

would permit the enactment of child-labor laws. I hope that the decision on the minimum wage law will so arouse public sentiment that at its next session Congress will be forced to submit a constitutional amendment or amendments authorizing the enactment of adequate laws in the interest of the children and women who are compelled to work in the industries of this country.

To that end I am urging a meeting of the governors of the several states to take up this question with the people of their respective states with the hope that public sentiment will become strong before the convening of Congress next December, that a constitutional amendment covering these points will be submitted early in the session.

The time is not so far in the past as to be forgotten when women and children, in order to eke out a mere existence, were forced to accept any pittance in the form of a wage that was offered them, and while the average employer of today is far above the old slave-driving methods, there are those who would gladly return to such tactics should the law allow. With this thought in mind it is not far to suggest that the present case if it results in the wiping out of our minimum wage laws may be in its effect upon our economic and industrial life second only to the famous Dred Scott decision.

It is not expected that any effort will be made to evade the provisions of our minimum wage law. It will continue to be enforced.

LOUIS F. HART
Governor of Washington

For an Amendment

The governor has directed me to say that in connection with the minimum wage decision of the United States Supreme Court, Governor Louis F. Hart of Washington telegraphed to Governor Blaine asking that he join in calling a conference of the governors of all the states to crystallize sentiment for the submission of a constitutional amendment authorizing minimum wage and child-labor laws.

Governor Blaine's reply, indicating his sentiment in the matter, reads as follows:

Supreme Court declaring unconstitutional minimum wage law District of Columbia may not affect Wisconsin's law. In any event I gladly join in calling of conference, suggesting Chicago for place and early July for date.

FRANK W. KUEHL
Executive Clerk, Office of the Governor of Wisconsin

Good Business

A hopeful feature of the situation for those who are interested in the establishment of a minimum wage is that, in spite of the adverse decision of the Supreme Court of the United States, the minimum wage is still good citizenship, good ethics, good religion, and besides, in my judgment, basically essential to American business prosperity during the next five years.

Some of the facts that lead me, as a business man, to this conclusion are the following:

1. The derangement of foreign markets—especially European markets—together with the greatly increased ability of American factories to produce, creates a situation where for some years it will be impossible to dispose of our normal surpluses abroad and where, in consequence, the home market must be kept at its maximum of consuming power if we are to have anything like steady good times.

2. The only way to maintain this essential buying power in our home market is by the payment of good wages. Wages scaled on a minimum of $6 or $8 can buy only the cheapest of food and clothing and in minimum quantities. Only people with purchasing power above the mere necessities of life can help to swell that consuming public that is able to support prosperous business.

3. One reason why a high wage is as good for the employer as for the employe is that it tends to make contented and cooperative employes. Ill-paid and worried workers are not efficient workers. Any effort to force American workmen below the recognized standards of living will inevitably result in industrial strife, which in turn will bring about serious social and political disturbances. In such disturbances American business men will get the worst of it. Our employes outnumber us one hundred-fold as voters or fighters. To have the best obtainable home market we must have industrial peace.

4. Under existing conditions efficient production is essential for any business that would survive. This may sound like a paradox but there is good reason for the statement. Low wages make cheap standards in employers but when good wages are paid employers must see to it that they get full value from their employes. To do this they must look after the quality of their management and so stop many of the leaks that occur at that point. They must also take a more effective interest in education, housing, recreation facilities, and so forth.

5. A minimum wage enforced by law is a necessary but effective curb upon the greedy employer. Wages naturally tend to go down towards the standards set by the meanest and most short-sighted employers. Inability to pay a living wage is not always the reason why it is refused. Surely the state should have a right to step in and fix a limit beyond which cupidity shall not go, especially in dealing with inexperienced women and children.

6. It is urged that a mandatory minimum wage law would drive certain lines of business out of a given locality. I answer that the industry or business which cannot afford to pay decent wages has no claim for special consideration but should go where it can be carried on efficiently. The burden of supporting these underpaying industries is placed

Cincinnati Post
A LOPSIDED BALANCE

upon those that do pay a living wage, with the result that the efficiency of legitimate industries and their power to compete with foreign goods, both at home and abroad, are lessened.

7. The sound way to bring about the economies in production that are now so necessary is not through the lowering of wages, but the elimination of waste. The big drain on business is oftentimes not in the essential costs of operation, but in wasteful methods. We have not yet begun to appreciate this fact, much less to control it. The natural though short-sighted method of meeting high production costs, unless a minimum wage law stands in the way, is to cut down wages. But to do so now would tend to destroy the only market on which we can depend. We must reduce costs by getting

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rid of the wastes which, even in those businesses with a reputation for careful and efficient management, are enormous. This fact is abundantly shown by the report of the Hoover Commission on the Elimination of Waste in Industry, which shows that waste frequently accounts for fully half the selling price of an article.

EDWARD A. FILENE

Protect Individual Liberty

You will understand, of course, that it would be presumptuous for me to have any opinion as to the correctness of the court's decision from a legal point of view. I think we must all assume that the court is the best as well as the final judge of these matters and we must also recollect something which is often for-

Rollin Kirby in the New York World

THIS DECISION, MADAM, AFFIRMS YOUR CONSTITUTIONAL RIGHT TO STARVE

gotten, that the duty of the court is to interpret the law and the constitution and that it does not attempt to twist the law to meet its own views as to what might be the wisest solution. Therefore the question becomes one not of upholding or criticising the court but of examining the soundness of our legal structure and its fitness to our needs.

I believe that, judged from this point of view, the decision is a wise one. I am quite sure that you will understand that I say this without in any way being influenced by my own or my company's interests. There is not the remotest possibility of the enactment of any minimum wage law that could affect us as our wage rates are far in advance of any that could ever be reached by such legislation and it is our firm intention to keep them on a high plane. I am, therefore, looking at the problem solely as an abstract one.

The whole world is prone to seek short cuts to the attainment of its desires by means of legislative enactments and the temptation to overlook the ultimate effects of what we do is very great. Most of us can only see the immediate benefit which it is desired to obtain. Undoubtedly what was in men's minds in enacting minimum wage laws was that they would thereby reduce or eliminate some painful injustices and they have given scant attention to the underlying principles governing human relationships and business contracts and have not carefully considered where the logic of their actions would lead them.

Unquestionably the enactment of minimum wage laws is an abridgement of the freedom of contract and a very direct interference with personal liberty and if such acts were constitutionally valid it would certainly be equally valid if Congress should go much farther and limit freedom of action and contract in other directions, of a much more far-reaching nature, and it seems to me that this all tends in the direction of breaking down the one thing which we have for ages past been striving for and which we have in large degree attained, which is the largest amount of individual freedom compatible with the welfare of the whole people. There is almost no price too big to pay for the maintenance of this principle of liberty and freedom of action. To weaken or break down our defences in that field is to open the way to abuses infinitely greater than those which we have sought to eliminate and I, therefore, welcome this decision and all others which tend to maintain the open door of free opportunity.

Passing on from this consideration to another, I feel that it is distinctly harmful to the best interests of women to limit their opportunities for employment and advancement by artificial distinctions between them and men. The more hindrances which are put in the way of their free employment the less desirable they become to employers of labor and, in the end, they must surely suffer from these handicaps which, even though intended to protect them, are really detrimental to their best interests. I think that women instinctively feel this themselves. They have, during the last generation and especially during the past few years, been making strenuous efforts to be put upon a basis of equality with men and have now almost fulfilled their ideals in this direction, and it is surely illogical for them to claim all the privileges of equality and then shelter themselves behind a claim for special privilege. No laws can ever do away with the natural sex differences. In so far as men and women are made to differ by nature they will continue to differ regardless of human laws, but it is evidently their wish and perhaps their right in wishing to reduce the differences between the sexes to the absolute minimum.

You ask me to stress my suggestions as to how the barrier to social legislation of this type may be removed. I think you will see from the above that it is my belief that it is highly undesirable that the barrier should be removed, but that in no way indicates a belief on my part that women should not be humanely and generously treated and I believe that we may safely rely upon the operation of natural economic laws to bring about this result.

Instead of being surprised that there still remain some hard things in life, I think that a short glance over the history of the past two generations should give us great encouragement in seeing how far we have traveled along this road and in realizing to how great an extent the progress made is due to the operation of a natural development and how little has been brought about by legislative enactment. In looking back over the record of my own company, I find that in 1843 Cheney Brothers' operatives were working 72 hours a week, for an average wage of only a little over five cents an hour, and that now, on the same spot and in the same industry, the working week has been reduced to 48 hours and the average wage has been increased to 52.9 cents, and in a hundred other ways life has been made easier, pleasanter and richer and we are by no means in sight of the end as progress is being made from day to day and practically the whole of this great advance has been worked out in a natural way without appeal to the force of law.

CHARLES CHENEY

Dangerous Reliance on Law

The National Association of Manufacturers at its 1920 convention declared as follows:

Right employment relations are not made by legislation. They are a human growth and not a manufacture.

The parties must be free to make and maintain their own relationship, individually or collectively, in such form as is mutually satisfactory and in accordance with the size, nature and varying circumstance of each particular establishment.

It is the primary duty of government to protect each person in his liberty to select and pursue any lawful business or occupation without molestation, to freely further

Bryan Walker in the New York Call

ANOTHER DECISION IS HANDED DOWN

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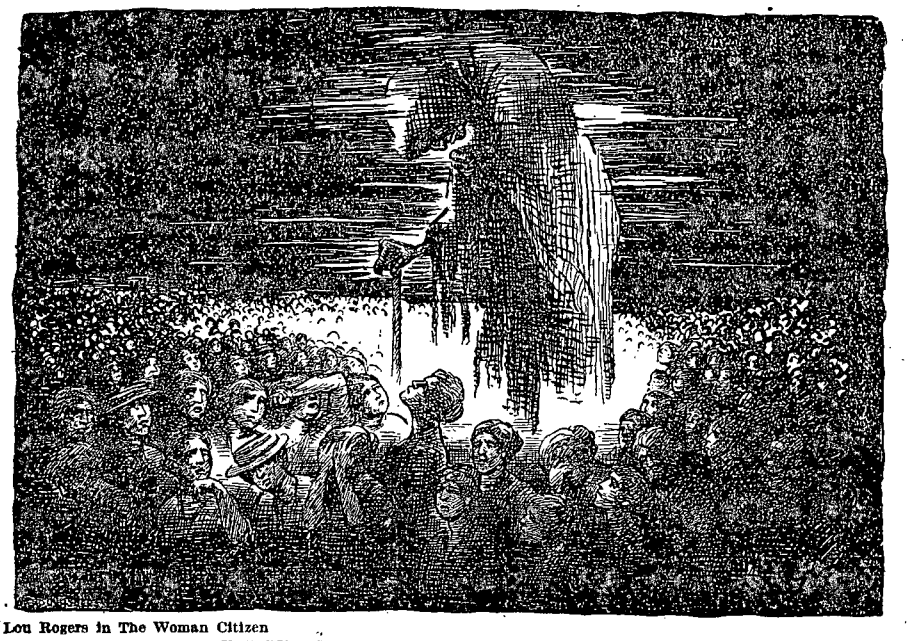

Lou Rogers in The Woman Citizen

HER FUTURE—WITH THE LABOR LAWS ABROGATED

his interest by legitimate agreements and to be secure in the reward of his effort.

The decision points out that the District of Columbia minimum wage case was arbitrary, unreasonable, and confiscatory since under it wages could be established without reference to:

(1) Desire of parties to freely contract with one another as to wage to be paid for service.

(2) Earning power of the employe.

(3) Number of hours constituting day's work.

(4) Character of place where work is to be done.

(5) Circumstances or surroundings of the employment.

(6) Necessities of both parties to the contract, not considering financial position of employer's business.

(7) Periods of stress and business depression.

The Supreme Court clearly points out the great fallacy and harm of the statute:

> It compels him (the employer) to pay at least the sum fixed in any event, because the employe needs it, but requires no service of equivalent value from the employe. It therefore undertakes to solve but one-half of the problem. The other half is the establishment of a corresponding standard of efficiency, and this forms no part of the policy of the legislation, although in practice the former half without the latter must lead to ultimate failure, in accordance with the inexorable law that no one can continue indefinitely to take out more than he puts in without ultimately exhausting the supply.

The experience of other countries with minimum wage laws supports the above opinion, since it has been almost universally recognized that the minimum tends to become the maximum and that it results also in eventual unemployment for large numbers, whom the employer cannot afford to hire.

One of the vice-presidents of the American Federation has interestingly pointed out that after all "organized labor" may be the gainer by the decision, since under it "Industrial Court" acts may also be held invalid.

The decision is, moreover, in absolute harmony with the efforts of many women's organizations to have removed all laws providing special protection for women in industry.

There has been much clamor for popular control of federal judges and similar measures. I cannot but believe that the best interests of labor itself are best served by men such as Chief Justice Taft who are not dependent on the popular whim but decide as they see the right—Mr. Taft, for example, deciding against the claims of labor unionism in the child-labor case and with their arguments in the minimum wage case.

On the facts presented it is hard to see how the Supreme Court could have come to any other decision in the minimum wage case than it reached. There is a growing and dangerous reliance on law to provide justice for every ill imagined; this decision may also cause some to think seriously of the ultimate industrial and social effects of laws which attempt to raise wages by government fiat without reference to output. There is no "secret fund" without relation to current production from which wages can be drawn.

J. E. EDGERTON

Usurped Power

The recent decision of the United States Supreme Court, nullifying the District of Columbia minimum wage law for women, should be read in connection with the proposal for a constitutional amendment adopted by the last convention of the American Federation of Labor in the following language:

> An amendment providing that if the United States Supreme Court decides that an act of Congress is unconstitutional, or by interpretation asserts a public policy at variance with the statutory declaration of Congress, then if Congress by a two-thirds majority re-passes the law, it shall become the law of the land.

With such an amendment in force it would be a simple matter for Congress to right the wrong done by this decision; and also for Congress to right the wrong done by the same court in declaring the child-labor law unconstitutional. There appears to be no other effective avenue of relief from reactionary Supreme Court decisions.

The American people need look for no immediate relief from decisions such as this because the complexion of the court is not likely to be changed in the near future. President Harding has appointed four members of the Supreme bench and these men, without exception, are rooted in a social concept that has all but passed.

The thought that Supreme Court decisions are written out of inflexible law is a pleasant fiction. Supreme Court decisions, especially in cases involving what is generally known as social legislation, are shaped largely by the trend of mind and philosophy which happens at the time to dominate the court. If such men as Justice Brandeis were in the majority at this time the minimum wage law would have been sustained. The child-labor law likewise would have been sustained.

There can never be any assurance that the Supreme Court will view matters in accord with the masses of the people. Even when presidents want to appoint judges who will understand the needs of the time and the changing complexion of the public requirement, errors may be made. The same man may think differently when he becomes a Supreme Court justice from the manner in which he thought as a private citizen.

This argument would have little force were it not for the fact that the power of the Supreme Court to declare laws unconstitutional is a usurped power not vested in the court by the constitution.

The problem is to restore the power to the people, as the constitution intended and as the American people continue to intend.

There is a tremendous resolution taking shape on the part of the American people. There is a determination that the enactments of representative government must not be at the mercy of an appointive Supreme Court whose decisions are beyond the reach of the legislative branch of the government.

There is but one constructive method of procedure. The American Federation of Labor has outlined that method.

The brutality of the majority decision can beget nothing but wrath. It went

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so far as to unblushingly liken the purchase of the labor power of women and girls to the purchase of provisions in a grocery store, or meat in a butcher shop.

The court declares that this labor power, this contribution of human service, this giving of self and soul in the doing of humanity's most poorly requited tasks, is nothing less than the bartering of commodities, and it pronounces the conclusion that in this barter there must be no government supervised price fixing.

The law of the United States declares that "the labor of a human being is not a commodity or article of commerce." That is the law of the land. The five justices trampled it under foot, together with the great army of women wage-earners of our country.

There appear three necessities:

First, intensified efforts to bring women wage-earners together into bona fide trade unions where they can pool their economic strength for the bargain with employers.

Second, an effort to secure in the next Congress a law that will stand the test in their behalf.

Third, a constitutional amendment, finally and forever restoring the law making power to the people through their representatives and taking from the Supreme Court the power to write such ugly pages as this into the history of a great democratic civilization.

SAMUEL GOMPERS

Up to Labor

The knocking out of the women's minimum wage law by the United States Supreme Court is but one more symptom of the pitiful weakness of organized labor. Other symptoms were the killing of the child-labor law and the promulgation of the Coronado Coal Company decision by the same tribunal. These and the generally reactionary course of labor legislation in recent years are part of the heavy price American workers are paying for leadership and policies of the Gompers type.

The quality of labor standards, political as well as industrial, depends directly upon the strength of the labor movement. In countries where the workers are powerfully organized and intelligently led, there the legislatures and courts give heed to their demands. But where labor is not so organized and led inevitably these institutions yield to pressure from the employers and collaborate with them in setting up semi-slave conditions. Unless the workers are able to protect themselves no other element in society will do it for them. This is fundamental.

In the United States the labor movement is weak and stagnant. Its leaders see the primitive craft unions swept away like chaff by the big capitalist combinations, but they stubbornly refuse to strengthen them by consolidating them into industrial organizations; they see the working class reduced to a political zero by following Gompers' stupid political policy of rewarding labor's friends and punishing its enemies, but they cannot or will not learn the ABC lesson that the workers must have a political party of their own. In this situation, with the labor movement anemic and unprogressive and the capitalists militant and rapidly increasing their power, the workers are practically helpless before their opponents. The elimination of such legislative protection as they have follows as a matter of course. Under Gompers' leadership all they can do is to cry lustily, as they are doing, when they lose each standard.

For the situation there is only one real remedy, a renaissance of the labor movement. The spring of social progress, the trade unions, is poisoned. It must be cleansed. The old dead leadership must be supplanted by a new type, one intellectually alive to present day needs. The workers must build up a labor party; they must amalgamate the craft unions into industrial organizations. In a word, the labor movement must be made fit politically and industrially to withstand the aggressive exploiters of labor. Unless this is done all else will be futile. Liberals and other well-meaning people may strive as they please to secure constitutional amendments and the rest of it, but their efforts will come to naught. So long as its real opposition, the labor movement, remains disarmed and helpless, the employing class will work its sweet will upon the masses of toilers.

WILLIAM Z. FOSTER

Women on the Bench!

I am convinced that the words of the text of the constitution are broad enough to enable the Supreme Court, had the majority so desired, to uphold the federal child-labor laws and the District of Columbia minimum wage law. Naturally, therefore, I agree with the dissenting opinions. What follows is solely my own personal view.

To state the present situation is to indicate one obvious next step. Although the life, health and happiness of women and girls are at stake, no woman has participated in the minimum wage case at any of its stages, and against this unnatural and unreasonable circumstance public opinion has not protested until the catastrophe is now upon us. The Supreme Court of the United States has, by the votes of five men, affirmed in 1923 the inalienable constitutional right of American women to starve; as it affirmed in 1918, also by the votes of five men, and in 1922 by the votes of eight men, the inalienable constitutional right of hundreds of thousands of American children to be illiterate, overworked, and bereft of the equal protection of the law. In none of the three decisions was the vote unanimous.

No substitute has been discovered in any country for minimum wage boards for safeguarding the health of the young, the unskilled, the unorganized, the elderly who can work though not as they did in their prime, and the non-English speaking immigrants. Wage-earning women and minors in the District of Columbia must regain what the court has taken from them; they must be able *to* live in health by their own earnings, for the sake of the community and for the honor of our nation. Nothing can take the place of that which they have lost.

The cure for the cruel hardships certain to follow this decision is neither quick nor easy. The Supreme Court must be modernized. In this twentieth century the courts of last resort must include judges, not merely learned in the law but intimately and sympathetically acquainted with men, women and children, and with industry as it changes from decade to decade. The monopoly of jurisprudence by men must, therefore, be replaced by just representation of women on the bench, at the bar, in the American Bar Association, and in the state associations, and by their admission to the law schools. Despite unimaginable discouragements women have been practising law for fifty years, and competent women lawyers are available for appointment to federal positions whenever vacancies occur. Judicial experience has not been held requisite even for a presiding justice of the Supreme Court; and if it were held requisite, there are women in divers states who can meet the requirement. At the head of the list obviously stands Judge Florence Allen of the Supreme Court of Ohio.

The next appointee to the Supreme Court of the United States, and also the next appointee to the Court of Appeals of the District of Columbia should be the first of a series of able women of modern mind, to share the duty of *interpreting, not vetoing* necessary industrial and social statutes. Three times in three years the Supreme Court has given warning that justice and mercy for women and children are not to be expected from a court which, itself a perpetual monopoly of men, incarnates age-long injustice.

FLORENCE KELLEY

Adult Human Beings

The decision is of interest to all women because of the advance by the Supreme Court over its attitude toward women in the Muller case in 1908 and in the Miller case in 1915.

It is not within the province of the

(*Continued on page* 256)

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HEALTH

Does Health Work Pay?

"Nations with poor health service fare as well as others," said the headlines of the New York Times of March 11. "Decline in death rate from controlled and uncontrolled diseases shown to be about the same by vital statistics."

"Doctors are not entitled to any control over our bodies or behavior on the ground of public good, because most of their work in the past has proved to be unscientific and undependable," adds the writer of a recent magazine article. (Current History, April, 1923.)

Both these conclusions are based almost entirely upon the material in the recently published Biology of Death, by Dr. Raymond Pearl of Johns Hopkins University (Lippincott). "If the health movement isn't a movement at all, but just an uncontrolled tide, and the health workers are just riding the wave and not materially affecting its progress, why should any of us worry about trying to influence social conditions?" asked a social worker, summarizing in another way her reaction to the discussion of Dr. Pearl's conclusions. The editors of the SURVEY *passed the question on to Dr. Louis I. Dublin, statistician of the Metropolitan Life Insurance Company, who has had long and comprehensive experience in following and recording the health movement in all its phases. Here is his answer.*

YOU have asked me to review Professor Pearl's book The Biology of Death because, as you say, Chapter VIII, Natural Death, Public Health and the Population Problem, has been construed as a direct attack on the validity of the public health movement in America and cited as authority for statements which are likely to do much harm in undermining the faith of the public, and of workers in the worth of the present program. A careful reading of this book, and especially of Chapter VIII, gives no ground for such fears. Professor Pearl has made no discoveries as to the futility of the present public health campaign, nor is he apparently opposed to the great majority of those activities which pass for the public health program. Thus, on page 228:

> Of all organized activities looking towards the direct modification of the environment to the benefit of mankind, that group comprised under the terms sanitation, hygiene and public health have, by all odds, the best case when measured in terms of accomplishment. Man's expectation of life has increased as he has come down through the centuries (cf. Pearson and Macdonell). A large part of this improvement must surely be credited to his improved understanding of how to cope with an always more or less inimical environment and assuage its asperities to his greater comfort and well-being. To fail to give this credit would be manifestly absurd.

Later, page 238, he says:

> There is much in our public health work that is worthy of the highest praise. When based upon a sound foundation of ascertained fact it may, and does, proceed with a step as firm and inexorable as that of Fate itself, to the wiping out of preventable mortality. Two recent examples may be cited here, by way of specific illustration of what real and reasonably complete scientific knowledge can accomplish in public health work. Both examples are taken from the work of the International Health Board of the Rockefeller Foundation, with the permission of its director, Mr. Wickliffe Rose.

He then proceeds to show by typical examples how the public health campaign against malaria and yellow fever in specific instances has proved most effective in relatively short periods of time; in fact, demonstrating as fully as one could wish the effectiveness of the various measures taken. Professor Pearl is apparently not a skeptic in so far as the public health program is concerned in its usual procedures against malaria and yellow fever, and, it is to be presumed, against other causes allied to them which have in recent memory been practically eradicated in certain areas.

Where then is the difficulty? The answer is that Dr. Pearl has a real complaint with those who claim that the "entire decline in the death rate which has occurred has been due to the efforts of health officials, whether conscious or unconscious, as is often asserted and still more often implied in the impassioned outpourings of zealous propagandists. The open-minded student of the natural history of diseases knows perfectly well that a large part of the improvement in the rate of mortality cannot possibly have been due to any such efforts." And in elaborating this complaint, he is inclined to belittle the value of activities which health workers consider unquestionably effective and even to imply that some, which, like the tuberculosis campaign, are sacrosanct, are of little if any value.

To prove this contention, namely, that other elements than the work of health agencies have been instrumental in reducing the death rate from a considerable number of causes, Dr. Pearl submits the following argument: He compares the decline in the mortality between 1900 and 1918 in two groups of diseases, A and B. The first group, A, are the so-called "controllable" diseases and include: (1) tuberculosis of the lungs, (2) typhoid fever, (3) diphtheria and croup, (4) dysentery. For them, the claims of the health people have been made. The second group, B, include four so-called "non-controllable" causes of death, namely: (1) bronchitis (acute and chronic), (2) paralysis without specified cause, (3) purulent infection and septicemia, (4) softening of the brain. No one, he says, would claim that the public health program has in any way been responsible for the decline in these death rates. He then shows that the rate of decline from year to year in both groups A and B has been about the same during this period of eighteen years.

The conclusion is, therefore, obvious that if conditions can decline without the intervention of public health work, then public health work cannot assume credit for the decline in those conditions with which it does deal.

To clinch the argument still further, Professor Pearl then compares the decline in the mortality from two diseases—namely, typhoid fever and diphtheria—in two groups of countries, A and B, A having a highly developed public health and sanitation program and B not having such pro-

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gram. Under the first head are included Australia, Austria, England and Wales, and Germany; under the second head are included Italy, Jamaica and Rumania. Again, the writer indicates that the rate of decline in the death rate from typhoid fever and diphtheria has been about the same in the two groups of countries. A similar conclusion must be drawn as before, namely, that the health authorities must not claim for themselves the credit for the declining death rates for these two conditions. I imagine it is this appearance of a scientific demonstration which may be misinterpreted.

MY first comment is that the line of Professor Pearl's attack is quite unnecessary. Responsible health authorities no longer make any such claims as he combats. As for propagandists, every field of human endeavor has its share of them, and I have not been impressed that the public health movement suffers from an undue proportion of that group of undesirables. Certainly, there are none who are particularly prominent in the direction of health work. They have very little influence in the councils of the health movement. And it is my mature judgment that no considerable number of the true leaders of public health work in America can be accused of making wild claims. If anything, the reverse seems to me to be true. The tendency in recent years among the leaders in public health work—and they include, incidentally, the very associates of Dr. Pearl at the Johns Hopkins University—has been to be insistent on moderation and conservatism in making claims for health activities. The leaders in health work have ever questioned the validity of certain activities. They have ruled out one line of work after another in what has been the usual practice of health departments. Housing and plumbing activities have been decidedly taboo in health work in recent years. The methods of control of the communicable diseases by health departments have been virtually revolutionized on the basis of known facts and of very carefully collected data. The whole tendency of recent effort has been in the direction of collecting facts and demanding proof. It would seem, therefore, that Dr. Pearl's chief argument against the propagandists is like tilting at windmills, and should give no serious concern to health officers who do use scientific safeguards and tests as a routine of their work.

But there is still the argument, and I imagine the conclusion will be drawn that Dr. Pearl has proved that health workers cannot claim, as they do, that their work has brought about a reduction in the rates for tuberculosis, typhoid fever, diphtheria and dysentery. The anti-health groups will probably get a great deal of satisfaction out of the spectacle of a professor of a school of public health shattering the gods of his colleagues. One can expect to see them in legislative halls for the next ten years opposing extensions of public health efforts and increased appropriations of state health departments and resting their case on the dicta of Professor Pearl.

If that happens, it would be most unfortunate, because Professor Pearl has not proved this case. The comparison he has made between the diseases which have and those which have not been subject to public health control is really a comparison between definite disease entities on the one hand, and very indefinite baggage and refuse of medical nomenclature on the other. Professor Pearl says that he took the four "non-controllable" causes of death—(1) bronchitis (acute and chronic), (2) paralysis without specified cause, (3) purulent infection and septicemia, and (4) softening of the brain—quite at random. But, if he had taken great pains to find the most unsatisfactory statements of cause of death he could not have succeeded better than in the present choice. Professor Pearl should really have known that the four conditions are preeminently those which the Census Bureau and all working statisticians of any account have during the last twenty years, and especially so in recent years, labelled "undesirable and indefinite terms" for stating causes of death. The Census Bureau at Washington and the registrars of vital statistics of states and cities, as well as those in insurance companies, have spared no energy in instructing physicians not to employ these very terms. Literally, tens of thousands of letters have been sent out to physicians during the last twelve or fifteen years asking them for more definite information when death certificates have been received with certifications of the very diseases Professor Pearl now uses to prove his case.

More significant, however, is the fact that in a very large proportion of the replies received from physicians, the original designations have been changed and the deaths have been assigned to other and more desirable statements of cause. Chronic bronchitis has been queried by my office for years, at ages where tuberculosis may be suspected, and in a considerable proportion of the cases has been changed into pulmonary tuberculosis as a result. In the Physicians' Pocket Reference, more than a million copies of which have been sent out to the medical profession in America, the United States Census Bureau enjoins physicians to be careful to specify the tuberculous origin of "bronchitis" if the latter was a complication of tuberculous disease, in which case the death is charged to tuberculosis and not to bronchitis. The title, "paralysis without specified cause," has given place to cerebral hemorrhage and to general paralysis of the insane, and to other titles that are more specific. Out of a total of 1,259 letters sent out by my office originally reporting paralysis, 87 per cent of the replies resulted in a radical change in classification. The inquiries of the Census Bureau in 1920 resulted in changed classification in 71 per cent of the cases of paralysis. Purulent infection and septicemia was changed in 73 per cent of the cases in my office to such more definite titles as puerperal septicemia, diseases of the uterus, etc., by the Census Bureau in 70 per cent of the cases. Softening of the brain is invariably questioned in good registration offices and is recertified as syphilis, paresis and as other titles. The Census Bureau reports a change of 48 per cent in such cases, where replies to its inquiries were received.

More and more has this practice of questioning and rejecting reports of ill-defined diseases resulted in their disuse by physicians in recent years. If these titles are still found in the International List of Causes of Death, it is because registrars cannot prevail on a sufficiently large number of physicians to stop using them. The four titles used are statistically worthless. They are artifacts and little else. A decline in their incidence in an eighteen or twenty year period is, therefore, inevitable and is no indication whatever of the true incidence of the conditions in question. The decline in these rates is rather an imperfect reflection of the intensity of the campaign of education to which doctors have been subjected in recent years by the registrars. The wonder is that the decline in them has not been even greater in view of the enormous energy there has been expended in teaching physicians not to use these terms. It is, therefore, almost incredible that any one of Professor Pearl's standing as a scientist should have allowed himself to fall back upon such

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trivial material to base a discussion on so vital a question as the efficacy of the public health movement. This argument is reduced to a virtual absurdity.

The supplementary argument contrasting the two sets of countries is, I am afraid, worthy of only little more consideration. A comparison of conditions in various countries is full of difficulties at best. There are so many factors that enter into causing high or low rates for certain diseases in various countries of the world that it is almost impossible to draw conclusions from comparisons, but in this instance Professor Pearl has apparently forgotten that in two of the countries where the sanitation and health programs are presumably little developed, the statistical evidences are also virtually useless. Jamaica and Rumania are among the last countries in the world to which one would turn for useful statistics of cause of death. We have troubles enough with the statistics of England and Wales and of the United States, but why Jamaica and Rumania? One country has a large proportion of illiterate blacks in the population and more than 70 per cent of the deaths not medically certified, and the other one may not have effective registration for another century. Italy, which is placed in Column B of less highly developed sanitation, has probably had as good a sanitary system in vogue as has Austria, which is found in the first column. A contrast between the two sets of countries is therefore ruled out as a possible means of deciding a question so full of difficulties.

MAY I not say, therefore, that Professor Pearl has, in fact, presented no argument from which properly to draw the conclusion that public health work in the conditions mentioned is of no avail, or is of doubtful expediency? He has, on the contrary, shown that certain conditions like malaria and yellow fever are certainly controlled and are being controlled by health authorities. But who shall say that the same procedures and mechanisms which are employed so effectively in the eradication of malaria are not as effective in the eradication of typhoid fever? In the one case, screening, the use of quinine, ditching and draining are employed; in the other, the purification of the water and milk supplies. Who shall say that the reduction in infant mortality of virtually 70 per cent in twenty years is not as good a demonstration of the efficacy of public health work of one type as is the control of yellow fever of another type? The simple expedients of boiling or pasteurizing milk and of instructing American mothers and physicians in the correct principles of baby feeding leave nothing to be wished for in the directness of the proof.

It is not necessary to claim that the entire reduction of the death rate for any disease is due to one cause, and no well informed person makes the claim. The health program of the last twenty years has been careful to have many irons in the fire and to include in its program a multitude of measures, some sanitary in character, others educational and still others social and industrial. The campaign against tuberculosis, for example, has been of the widest scope. There has been reliance not upon a single specific, but rather on the general principle that the disease could be best controlled with the gradual raising of standards of living, and this has included more and better food incidental to higher wages, less crowding, more rest and life in the open air and more cheerful and sunny living on the part of the whole populations. How effective this program has been is best indicated by the decline of nearly 50 per cent in the death rate in a period of less than fifteen years. And, as if to clinch the proof, we have the startlingly clear and dramatic experience of the European countries during and since the war.

The incidence of tuberculosis is very probably controlled to a degree by hereditary factors, but tuberculosis also responds to environmental changes in a way that no one can miss. The European populations exposed to the effects of war registered high tuberculosis rates as the pinch of war became more and more effective. With the curtailment of food and the increase of misery incidental to the war, death rates reached an enormous height, affecting for the most part the growing children. The work of twenty years was undone in a few years. Death rates from tuberculosis of 800 per 100,000 were not rare in European cities where the usual rates were from 200 to 400. As soon as sufficient supplies of nourishing food became available to these populations, tuberculosis rates began to return to virtually their pre-war normality. Here was a scientific experiment so colossal, so clear cut in its character, that one can think of only the simple experiments of a chemical or physical laboratory for a parallel of directness and simplicity of the factors that enter therein. After the experience of the war, there should not be raised the old question of the effectiveness of the tuberculosis campaign as carried out in America. Public health work against tuberculosis has been synonymous with the broadest program of the statesman and has included endless activities, technical and other, which favorably affect the everyday life of man.

The public health workers of the country need not, therefore, fear that their cause has been undermined by the scientific work of Professor Pearl. The public health movement has amply demonstrated its effectiveness. It cannot afford, to be sure, to go on in smug contentment. It must continue, and to an ever-increasing degree, to change its practice on the basis of fact and to attack error when such is pointed out by experience. But the main lines of sanitary effort are neither new nor experimental. However much minutiæ and detail may require modification in the future to meet changing conditions of life in civilized countries, the main lines of work have almost a century of demonstration in back of them. At the present time it is not the bull in the china shop that is called for, but rather the well informed technician seeking to weigh and to give proper place to each of the more or less important items which together make up the whole of the public health program. It is a problem of screening, of refining, of extending the borders to new paths now only slightly dreamed of through the further application of sciences of bacteriology, sanitary engineering, social economy, nutrition, etc., to the welfare of the American people.

The acceptance by the general public, as well as by the professional health workers, of the proposition that the health program has been effective is based on solid rock. It is right and wise that communities shall tax themselves more and more heavily to prevent disease and to prolong life. There will be troubles enough for health officials to obtain the support of their communities in view of the ignorance and lethargy of the uninformed and of the opposition from the blind cults whose program is anti-health. It is a pity that in the struggle, always difficult, for the adequate support for health activities, there should be need also to meet the criticism of the devotees to science and truth and of the very teachers of the new generation of health officers. Man's greatest achievement in the last half century should not be belittled without reason.

LOUIS I. DUBLIN

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A Home-Made Health Show

Bethel is a country town in southwestern Ohio, until recently shut away from much of the rest of the world by bad roads. Two hundred and twenty-five of its fifteen hundred people make shoes in one factory; a few work in the small shops of other industries, but for most of them Bethel means purely country life, uncomplicated by industries, welfare organizations, or even a modern water supply. Bethel is all-American, with no foreign group at all; there is only one Negro family. Last winter some of the people of Bethel, inspired partly by the recollection of the successful health exposition in Cincinnati in 1921, decided that the town was not making the most of its fresh air, sunshine and abundant milk supply. The resulting exposition of March 18-24 is probably the first of its kind in a small town, and represents a real achievement in community goodwill and cooperation.

"NO green vegetables left," said the grocer at noon. "If this run keeps on we'll have to be ordering more." That was the day after the nutrition worker talked about iron and vitamines. It is not yet reported that the druggist found a similar acceleration of the toothbrush trade, or the milkman of the dairy business, but all these things are expected by the Health Exposition Committee of Bethel, which felt that the addresses and exhibits of Health Week had started interest, discussion and effort all along the health line.

The committee started work last January. They picked March 18-24 as the exposition date, figuring that the victims of the winter's coughs and colds would be out by that time and that the spring planting would not yet be engrossing the farmers. Conferences with Bleecker Marquette, secretary of the Cincinnati Public Health Federation, brought out suggestions of national organizations which might help with ideas or material, and the scheme was launched. Bethel has no public health organization of any kind, and its county is well down in the list in the adequacy of its appropriation for health work. There is, however, a full-time county health officer who gave valuable assistance.

For six weeks the local paper carried a ribbon headline across the front page announcing "Coming, Bethel Health Exposition." A competition among school children—prize, a season ticket to the exposition—developed the winning slogan "Let Health Rule in Bethel." As the date drew near detailed accounts in the Bethel paper and the county papers aroused further interest. Handbills and programs were sent out to the neighboring towns; automobiles, trucks, and interurban cars carried big flyers announcing it, and the county schools were closed for a day so that the children outside Bethel could come, too.

The Bethel schools have no art work, and the children knew little about poster making. However, a few child-made posters were imported from the poster exchange of the Child Health Organization and from Cincinnati schools, and every one set to work with a will which evolved about three hundred and fifty alluring pieces of publicity. No family escaped without raids upon its supply of magazines for material to be cut and pasted. The best were chosen for the exhibit hall; the rest blossomed out in store and home windows, announcing health news that had become deeply engraved on the minds of the young poster makers.

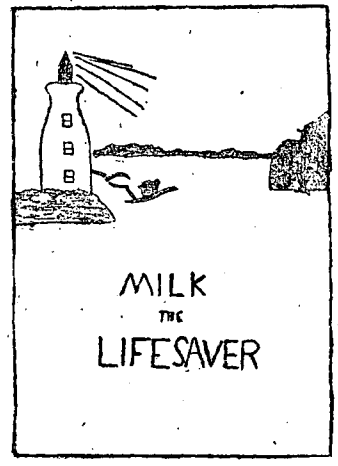
About a month before the exposition the grades started to work on nine health plays. Capes and scarfs were borrowed, cheesecloth, cambric, crepe paper and calico purchased in the local stores at cost, and all nine productions were staged for eighteen dollars! The Ohio State Board of Health, the Ohio Public Health Association, the National Cash Register Company, the Rotary Club of Cincinnati and the Anti-Tuberculosis League of Cincinnati lent films which cost nothing but transportation. The local movie operator volunteered his services to show them. A magna vox radio outfit, lent by the manufacturer through one of the local merchants, added an ultra-modern health message.

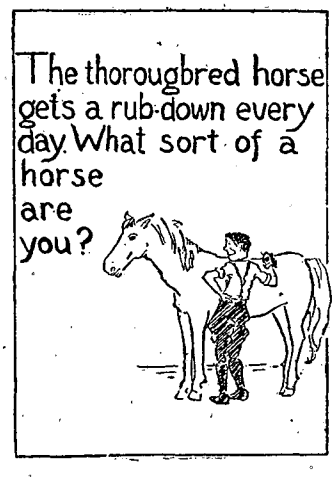
The committee rented the only two halls available in town for the whole week, both at merely the cost of heating, lighting and janitor service. One served as exhibit hall, with the posters, with exhibit material rented from several national agencies and lent by the Cincinnati College of Medicine, and scales, lent by the manufacturer, where there was always a line of children waiting to be weighed and tagged with their actual and their ideal weights. Next to it a local dairyman, who has a tuberculin-tested herd of prize Jerseys, sold milk in half pint bottles with straws, and drinking milk through a straw became one of the most popular amusements of Health Week, to the great delight of the committee in charge.

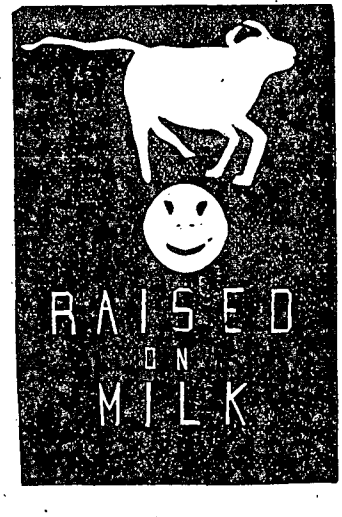
The other hall, into which four hundred people can be crowded, was used for the films, plays and addresses. Health Week had started with sermons in each of the churches. The week's program—ten sessions—included six speakers from outside the town, who came at their own expense, and, at each session, plays, films, radio messages, and other health demonstrations. Sixty-five children performed a tooth-brush drill, exhibiting their gleaming white teeth which the dentist had cleaned free for the occasion. Others showed setting-up exercises. Friday was doctors' day. A special invitation had been sent to all the doctors of Cler-

HEALTH POSTERS DRAWN BY SCHOOL CHILDREN

The Child Health Organization, which started the plan of having children devise their own health publicity, acts as a circulating library of posters made in schools all over the United States. South Dakota and New Hampshire (grades V and VI) are represented here







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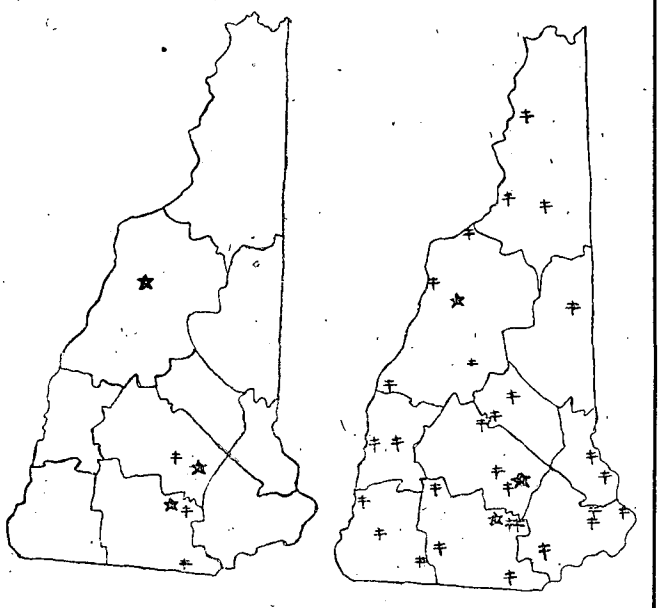

THREE YEARS OF FIGHTING TUBERCULOSIS IN NEW HAMPSHIRE

From 1919 to 1922 the New Hampshire Tuberculosis Association increased its clinic centers from three to thirty (shown by crosses on these maps), its staff of district and county nurses from one full-time and two part-time workers to a corps of ten, all but one on full-time duty, who covered every county in the state. During that period the bed capacity of the three tuberculosis sanitoria in New Hampshire grew from 138 to 218; the stars show the location of the sanitoria

mont County, and twenty came. The guest of honor was Dr. W. E. Thompson, who has practiced in Bethel for sixty-three years and at eighty-eight is still in harness. One hundred and forty children had been Schick-tested on Monday, and many of them were there to show the doctors and parents and friends the difference between "immune" and "susceptible" arms.

The committee estimates that seven hundred people attended one or more sessions of Health Week. Many of them came every day. Admission to the exhibit hall was ten cents for a grown-up, five for a child; to the entertainment hall, ten cents for the afternoon, and for the children, at either session, and fifteen for grown-ups in the evening. Season tickets for the whole week cost seventy-five cents for a child, and a dollar for their parents and teachers, with an additional twenty-five cents if you wanted to be sure of a reserved seat in one of the first ten rows. From all sources the committee took in $418.66. Its expenses amounted to about $280. From the remainder the school will get scales, and the school library, announced as beneficiary, will profit to the extent of at least one hundred dollars.

The real value of the exposition, of course, is to be measured not in dollars and cents, but in the ideas which were planted in the minds of workers and audience, and in the cooperation which included teachers, pupils, parents, merchants, doctors, moving picture operator, the truck owner who volunteered his services in ferrying exhibits from Cincinnati and back, the ministers, and every one else. *"Not once,"* writes Mrs. P. A. Pathe, who acted as executive secretary, "did any member of the committee meet with a refusal."

Rural Dental Clinics

McDOWELL County, West Virginia, has the first county-wide free dental clinic in the United States, established seven years ago by vote of the people of the county and supported by a tax which the county court levies upon all assessable property. The tax at first was at the rate of seven cents on each one hundred dollars of the assessed valuation of property; it is now reduced to five cents. The sheriff of the county collects the tax and pays it out upon orders of the county court, as he does all other public county funds. The county dental clinic is on exactly the same basis as to financial support as are the public schools, and in its seven years of operation the people have come to look upon it in very much the same manner that they look upon the public schools, an enterprise for the general welfare, supported by the people as a whole.

McDowell County has a population of about 75,000. It is in the heart of the Pocahontas coal fields. The dominant industry is the coal industry, and therefore the large majority of the people live in mining camps, although there are several residential towns and one city. Possibly from 20 per cent to 25 per cent of the population is rural—that is, agricultural—while most of the county would be classed by the federal government as rural. Whether the district is rural, mining or residential, there is no difference in the effect of the dental clinic. Every child has his teeth examined and, if necessary, treated once each year.

The work of the clinic is under the supervision of a County Dental Director, who is employed by the county court and whose salary is paid out of the public funds of the county. He is authorized to employ as many dental surgeons and dental hygienists as the volume of the work may demand. Their salaries and equipment are likewise provided for out of the public funds. This equipment consists of regular dental outfits such as any private dentist would have and a certain number of portable outfits which may be transported from one place to another, as the need requires. In the larger grade schools a room is found where a dental outfit is permanently installed, and all new buildings have provided a dental clinic room at the time of constructing the building. In the smaller grade schools a regular dental outfit is installed temporarily and then moved to another school of similar size, while in the country schools a portable outfit is set up for a day or two, as may be necessary, and then the dentist, outfit and all are transported to the next school. These portables are carried in wagons, on sleds and not infrequently on horseback. But not a single school is missed in any year.

The dental clinic does not stop with merely repairing teeth. Each year the children's mouths are carefully examined and their teeth cleaned. The dentists and dental hygienists also examine throats, ears and nostrils and refer all cases which need treatment to the parents, calling their attention to diseased tonsils, adenoids, obstructed breathing, running ears and any other defects and advising them to consult their family physician or some competent specialist.

A school which scores 100 per cent healthy mouths gets a half-holiday and this small award has an excellent influence in securing the full effects of the dental clinic's service. In some cases where a few of the children resisted dental treatment the other children persuaded the recalcitrants to have their teeth treated in order to make the school score perfect. Children who were absent when the

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dentists were at their school have traveled several miles to the nearest county dentist in order to bring up the school score to 100 per cent and thereby receive the half-holiday.

The chief value of the dental clinic lies in the fact that every child has his teeth and his mouth properly cared for during the period when the teeth are forming and during the period when the teeth are in the greatest danger of decay. If children have their teeth cared for during the period of school attendance they can be depended upon to look after them when school days are over. Furthermore, the dental clinic carries on a continuous health campaign among the children, teaching them the necessity of brushing their teeth, the dangers of eating sweets, and the bad effects of neglecting their mouths. The dental clinic can do this very much more effectively than the teachers possibly can.

Finally, the effect of sound teeth and healthy mouths upon the quality of the school work is almost incalculable. It is well known that adenoids, diseased tonsils and decayed teeth are among the principal sources of school children's illnesses, especially colds. By getting rid of all such diseases and physical defects the children lose less time from school and can do a great deal better work while they are at school. The retardation of pupils is very greatly reduced. In one of the grade schools of McDowell county the records show that within the past six years not a single pupil has failed to make his grade; that twenty pupils gained a grade in the past five years and that seventeen gained two grades in the same time. In this particular school of about 250 pupils not only has retardation been completely eliminated, but a considerable number have advanced one or two years beyond their normal grades.

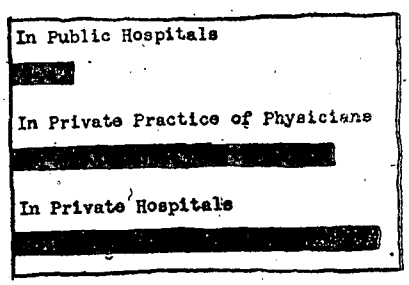
L. J. HANIFAN

ST. MARK'S Hospital, New York, is the pioneer in the field of its social service ward for women and children, opened in July, 1922. Here patients suspected of venereal disease may be referred by social agencies and similar organizations for diagnosis and immediate treatment. Where treatment is prolonged and can be carried on in the home of the patient or in a clinic she is then referred to the proper persons. The ward, which is the only one of its kind in the country, has proved especially valuable in the case of families, one member of whom was known to have suffered from venereal disease. The status of the wife and children of a known syphilitic, for example, can be determined by a series of examinations and tests which could be carried on outside a hospital only with the greatest difficulty, and, the diagnosis established accurately, necessary treatment can be determined and instituted at once. For the present the ward is supported by a special fund, independent of the regular budget of the hospital. It is hoped that by the end of a trial period the experiment will have proved its right to be considered a necessary factor in the solution of both the social and medical problems raised by the types of patients it serves, and worthy of widespread endorsement, development, and financial support. An extended account of its operation during the first months, by Dr. Victor Cox Pedersen, is published in the current issues of the Journal of Social Hygiene and the New York Medical Journal.

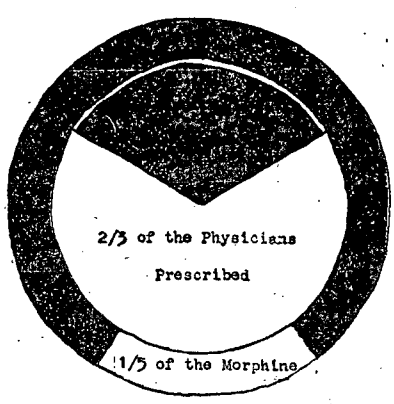
BEQUEATHING its activities distinctly in the field of child health to the American Child Health Association, and its more general work to the National Health Council, the National Child Health Council will pass out of existence on June 30. The council came into being in March, 1920, by the association of a group of agencies which had to do specifically with child welfare, and other organizations with special interest in child health. At present the council feels that many of its activities have been completed and that others can be carried on more effectively by the two organizations which have been formed since its inception. Among its lasting achievements is the report of the Advisory Committee on Health Education, recently published by the Federal Bureau of Education (School Health Studies, No. 1, price 10 cents), which summarizes the judgment of a large and representative group of experts on health training, physical education, health supervision, the hygienic arrangement of school buildings and program, and mental health for normal children. The child health demonstration at Mansfield, Ohio, for which the American Red Cross is contributing $200,000 annually for five years, will be supervised by a special committee of the American Child Health Association on which the American Red Cross will be represented.

NEW YORK is more fortunate than most other states in having a detailed survey of her county provision for the health of mothers and children, conducted by the Child Welfare Committee of the New York State League of Woman Voters. The results of the survey, recently published, show that in even so small and highly organized a state, fourteen of the sixty counties had no local health supervision, and in nine others work was confined to one or two communities in a county. Of the 4,244 schools investigated 36 per cent were distinctly insanitary and constituted a real menace to the health and proper development of the children, while only 8.8 per cent were rated as in excellent sanitary condition. Copies of the report may be obtained from the League at Grand Central Terminal Building, New York City, for fifteen cents.

PENNSYLVANIA, in studying bootlegging in drugs, found that its more recently established drug stores, especially those in foreign and illiterate neighborhoods, were responsible for an untoward proportion of the consumption of opium and opium derivatives. The worst offender, however, was a small unscrupulous group of the medical profession itself. The figures on which the charts are based were determined in 1919. One-third of the medical profession was prescribing two-thirds of the morphine, much of which found its way into the possession of addicts. Since that time persistent prosecution of the illegal practitioners has wiped out 60 per cent of the use of morphine in Pennsylvania. Dr. Thomas S. Blair, chief of the Bureau of Drug Control of the Pennsylvania State Department of Health, estimates that much of the present excess consumption goes in unwise prescriptions in medical practice, though some still finds its way to addicts.



In 1919 Pennsylvania found that physicians were using five times as much morphine per capita in private practice as was found necessary in public hospitals. Much of the excess went to addicts. Since then enforcement of the drug legislation has reduced the consumption of morphine in Pennsylvania by 60 per cent



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COMMUNITIES

The Cleveland Surveys—Net

Measurable progress in public education, recreation, and the administration of criminal law has followed the three fact-finding studies of the Cleveland Foundation

THREE times in the last nine years—since the Cleveland Foundation was established—Cleveland has taken stock of itself through a community survey. Public schools, in 1915-16, recreation, in 1919, criminal justice, in 1921, have been studied by experts of wide reputation, with adequate staffs, and at a cost of more than $125,000. The findings fill a considerable space on the reference shelf: twenty-five reports were made in the educational survey alone. What else has been accomplished?

The Cleveland Foundation has made an effort in the last year to measure the results of its own service—to determine just what has happened in the way of social progress which can fairly be attributed to these three surveys.

Obviously it would be improper to give exclusive or even paramount credit to the foundation and its surveys for progress in any of these fields. Progress comes from a variety of causes. It is complex in its character. It is even a matter of personal opinion whether progress is real or not. So to say that a given act "causes" a given social change is to simplify the situation to the point of mis-statement.

To make the public see a set of facts and to know the factors necessary to improve a given condition is, however, the first step toward improvement. Democratic institutions, schools or settlement houses or courts, are quick to give the public a demonstration of change—when change is demanded. The Cleveland Foundation has sought to make the public want certain conditions changed and has felt that its purpose is achieved when this has been accomplished.

The Public School Survey

Ninety thousand individual volumes of the twenty-five reports of the education survey, made in 1915-16 under the direction of Dr. Leonard P. Ayres, have been sold. This in itself is an index to the public interest which has been manifested. When the survey was completed it was suggested that there should be a check-up at frequent intervals to determine how far its proposals were adopted. Other tasks prevented this for six years; recently, however, a systematic study of progress has been made by comparing the one hundred principal recommendations of the survey with changes in the school system which have actually taken place or are in process.

No less than 74 per cent of the recommendations thus reviewed have been completely adopted; another 18 per cent have been partially put into effect. For a variety of reasons, 6 per cent have not been acted upon; only 2 per cent have met the definite disfavor of the school officials and thus have failed of adoption. Considering the advanced nature of these recommendations—which represented an attitude toward public education more novel and practical than school administrations before 1917 had favored—it is remarkable that more than three-fourths of the survey program should have been carried out.

This numerical method of reckoning, however, is not very satisfactory, because the recommendations vary in importance from the addition of a single supervisor to a structural change affecting the whole system. Five of the recommendations were considered, at the time of the survey, to be of major significance. Three of these have been completely adopted, and a fourth has been put into operation in a way differing somewhat from that recommended. The Board of Education, as recommended, has definitely, constantly and persistently observed the line of demarcation between policy and administration to a greater degree than before the survey, no longer attempting to "run the schools instead of getting them run." Better leadership throughout the system, on which the survey laid great stress, has been brought about through the selection of a new superintendent, shortly after the report was made, after a careful sifting of qualified applicants. A new salary schedule for teachers, the strengthening of the School of Education, and the provision of opportunity, through cooperation with Western Reserve University, for the development of teachers while in service, have given effect to the survey's recommendations for better teaching. Compulsory attendance to the age of 16 and provision for part-time schooling from 16 to 18 have partly met the survey proposals for a better legal basis.

If the most important effect of the social survey is to increase public interest and develop intelligent public opinion which will operate in subtle and unseen ways, the education survey can claim to have been successful. In 1917, 1919 and 1921 school elections were held in Cleveland at which a total of eleven members of the school board were selected. At each election an effort was made by the Civic League, a non-partisan organization, to elect truly non-partisan and high-class candidates. The voters elected nine out of eleven persons recommended by the league. There has been no tendency on the part of the public to return to the old system of political maneuvering in securing elections. In 1921 the most aggressive attempt to recover political control of the public schools confronted the Civic League, and yet it won a more complete victory than at any other election since the survey. The successful candidates made their campaign very definitely upon a platform which included adherence and allegiance to the survey program.

Whenever the schools, since 1916, have asked for funds for new buildings or the levy of an additional tax, the voters have granted the request without hesitation. Not less than five school bond issues, aggregating $29,000,000, have been submitted to the people in this period. All have been approved by a generous margin. If the public interest thus manifested in the schools has been measurably developed by the survey it is amply justified.

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The Recreation Survey

The recreation survey, conducted under the general direction of Rowland Haynes and completed in 1919, differed somewhat from the education survey. It was not a study of administrative organization and operation, but an attempt to determine the character and extent of the problem and to measure the number and character of agencies which were attempting to meet the need.

The outstanding recommendation was that a council of recreation should be formed to coordinate and push the interests of recreation in all of its aspects. The Cleveland Recreation Council was accordingly organized and Mr. Haynes was employed as its first director.

The council has now been in operation three years and has achieved the major part of the program of the survey. While this is too complicated to be quoted or summarized here, it is proper to say that the council has made its influence felt in centering summer playgrounds under the board of education, in greatly increasing the use of the parks by older boys and girls and adults, in carrying through to a favorable vote a special tax levy for the Metropolitan Park Board, in strengthening the public library, in fitting together the work of more than eight hundred private philanthropic agencies for recreation, in promoting games and hiking among industrial workers, and in pushing publicity for recreation needs.

An indication of its influence may be found in this table of playground expenditures for the two years before the completion of the recreation survey and the four years since:

PLAYGROUND EXPENDITURES

Year	*Amount*
1916-1917	$ 7,207.61
1917-1918	6,314.16
1918-1919	14,418.50
1919-1920	19,396.81
1920-1921	51,446.12
1921-1922	51,297.56

The Criminal Justice Survey

The Survey of Criminal Justice was undertaken at the request of the Bar Association, the Chamber of Commerce, the mayor and a number of other organizations and individuals. Begun early in 1921, its report was given to the public in the autumn of that year. (See Justice in the Stocks, SURVEY GRAPHIC, October 29, 1921.) It was conducted under the general direction of Dean Roscoe Pound and Professor Felix Frankfurter of Harvard University, and Raymond B. Fosdick, Reginald H. Smith, Dr. Herman Adler, Alfred Bettman, Burdette G. Lewis and Albert M. Kales shared in it.

Following publication of the report, conferences between representatives of the Cleveland Bar Association, the foundation, and other civic bodies led to the formation in December, 1921, of the Cleveland Association for Criminal Justice, a permanent body to promote the efficient administration of justice. This organization brings together the great civic organizations of the city. Its thirteen charter members are the Bar Association, Automobile Club, Chamber of Commerce, the Advertising Club, the Academy of Medicine, the Real Estate Board, the Civic League, the League of Women Voters, the Women's City Club, the Builders Exchange, the Cuyahoga County Council of the American Legion, the Chamber of Industry and the Industrial Association. The association has assured itself of financial support and plans to continue for an indefinite period of not less than five years. The aggregate power of the most important civic organizations (including over fifty thousand individual members), has thus been brought to bear on the processes by which life and property are protected.

While it is early to claim concrete results for the criminal justice survey, there are many evidences that Cleveland has greatly improved the administration of its criminal law, such as those which follow:

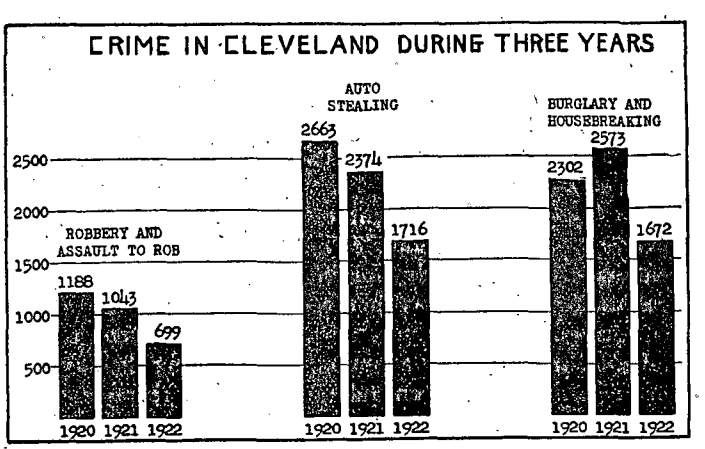
1. *Real public support of the bench.* The survey pointed out that the task of running for office on a non-partisan ticket has forced judges in Cleveland to give a wholly disproportionate and unjustifiable attention to the job of being re-elected. Every effort has therefore been made by the Bar Association to lift from the good judge the burden of making his own campaign. The result of this policy has been most encouraging.

At the election of 1921, four municipal judges were up for re-election. One of these was Chief Justice Dempsey, a candidate drafted by the better element of the city to fill a very responsible position which had been regrettably disgraced by former Chief Justice McGannon. While Judge Dempsey was opposed by a most formidable "vote getter," and while the campaign was unfortunately made still more difficult by the activities of certain persons and organizations who made religion an issue, he was elected by a large majority. He attributes this result in large part to the aroused public sentiment in favor of better and more independent judges. With one exception the judicial candidates endorsed by the Bar Association and the Civic League were elected.

In 1922 a real test was taken. Three common pleas judges were candidates for re-election: the Bar Association undertook to re-elect them. The judges themselves were asked not to make a campaign, and the Bar Association, in return for their promise, conducted a very spirited campaign for them which resulted in the re-election of the entire slate. The two elections demonstrate a new attitude on the part of the public, which, it is hoped, will develop into a sound tradition of keeping the bench actually, as well as nominally, non-partisan.

2. *Better prosecution.* Two prosecutors' offices, municipal and county, are involved in the administration of criminal justice in Cleveland. The survey criticized severely the personnel of the municipal prosecutor's office and, to a lesser degree, the procedure of the county prosecutor's office. On January 1, 1922, the entire personnel of the municipal prosecutor's office was replaced by Mayor Kohler with a new staff greatly superior in character.

Without marked change in personnel, the county prose-



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cutor's staff which went into office on January 1, 1921, has given increasing evidence of effective work. It has cooperated well with the association, has greatly improved its record system and in many difficult cases has brought dangerous criminals to justice. The percentage of successful prosecutions has steadily increased without any evidence of unfair or hysterical "railroading" of suspects.

3. *A new probation department.* The survey recommended very strongly the establishment of a new probation department in the common pleas court. Within two months after the publication of the survey and even before the formation of the association, the common pleas judges created this department.

4. *Progress toward new quarters for criminal courts and jail.* The Grand Jury for the fall term of 1922 reported upon the dire condition of the county jail and criminal courts buildings and recommended that Presiding Judge Baer call a conference of civic bodies and public officials to consider the new criminal courts building now delayed for nearly six years because of disagreement as to its proposed site and character. Such a conference was held, and the building commission has agreed to proceed at once, after conference with civic agencies as to the choice of a site, to erect a new criminal courts and jail building.

5. *A chief justice for the Common Pleas Court.* This, an outstanding recommendation of the survey, has just been pushed through the General Assembly by the Bar Association. It provides executive leadership for the higher court of the county which is composed of twelve judges. Slow movement, the survey pointed out, is an outstanding result of the inferior character of administration of justice in Cleveland. In the year 1919 the average time from arrest to indictment was 21 days, while the time from indictment to disposition of the case was 46.8 days, a total of 67.8 days. The record for the year 1922 indicates a great improvement. The time elapsing between arrest and final disposition was cut to 48 days, an improvement of more than 30 per cent.

The certainty of justice has been increased in the past three years. In 1921, 2,464 cases were passed to the grand jury, while 1,883 indictments were returned; in 1922, 2,020 were passed to the grand jury, while 1,662 were returned. In 1921, 73 per cent of the cases passed to the grand jury were indicted while in 1922 86 per cent were indicted. If we measured solely by this criterion we should be in danger of claiming that a mere increase in the percentage of indictments indicates more efficiency, whereas it might indicate less care in disposing of the cases and a consequent loss of energy later on in the trial court. But as a matter of fact greater efficiency in prosecution in the trial of felony cases is indicated by a comparison of results in 1919 and 1922.

The net result of Cleveland's effort to combat crime, whether due to the survey, to the association or the general increase in public interest, has been unquestionable. The accompanying diagram indicates that there has been a definite decrease in crime over the period of the past three years. A number of factors must be considered in explaining this trend, but the fact that other near-by cities, similar to Cleveland in size and industrial conditions, have shown no such decrease, reflects the fact that Cleveland has seriously set to work to combat crime.

Looking over the record, there is ample reason to assert that the survey policy has been well justified by its results. In education there has been a surer mastery, less drifting, a definite movement toward a concrete program of progress. In recreation a central agency now sees the problem as a whole and wisely promotes and coordinates a mass of individual efforts. Cleveland no longer needs to be ashamed of its administration of the criminal law. These community gains are probably the result of a well-informed public opinion. And it is safe to say that the surveys here described have had no small part in giving this public opinion a sound basis of fact.

RAYMOND MOLEY

First Cooperate—Then Combine

THE processes by which a community may gradually organize its social forces are well illustrated by the twelve-year experience of the city and county of St. Louis. The strikingly successful campaign recently carried through by the newly organized Community Fund (see the SURVEY, April 15, 1923, p. 68) comes as a logical step in a long development—not as a sudden intrusion of the tired-business-man contributor into the delicately balanced mechanism of social work.

The beginning of the process by which St. Louis found itself socially came in the year 1911, when some citizens who had become conscious of duplication of efforts, lack of standards and competition between social agencies, took action to clear up the existing confusion. In March of that year the Social Service Conference, made up of social workers and other socially minded people, appointed a committee to deal with the community as a whole. The chairman, Carrol M. Davis, was then dean of Christ Church Cathedral; he is now Domestic Missions Secretary of the Missions House of the Protestant Episcopal Church. The committee obtained the advice of Francis H. McLean, then general secretary of the American Association of Societies for Organizing Charity, who visited St. Louis and made a general survey of the field of social effort. On the basis of his report the committee made three recommendations for advancing the local cooperative movement:

1. A new federation of Charities should be created, forming a Central Council with a representative from each agency. This Council should pass upon the problems of the relations of each organization to the other, and of new developments in the general charitable field.

2. There should be a more complete registration of cases by existing agencies and a development of organized district work in the various parts of the city.

3. A charities committee should be established in the Business Men's League for the purposes of endorsement and of information for contributors, working in close cooperation with the Central Council.

As a result of these recommendations the Central Council of Social Agencies was established in January 1912, with thirty-six participating organizations. In September of the same year the Charities Registration Bureau was established in space loaned by the St. Louis Provident Association. Shortly afterward the Charities Committee of the Business Men's League, now the St. Louis Chamber of Commerce, was created.

The Central Council of Social Agencies grew steadily in influence and in membership. It made several studies of standards of service in different fields of social work, and was able in large measure to get them adopted. It was effective also in bringing about better acquaintance among the social agencies and social workers of St. Louis.

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The Charities Committee of the Business Men's League increased its influence, its prestige and its list of agencies seeking and securing endorsements. Close cooperation developed between the Central Council of Social Agencies and the Charities Committee which for a time loaned its secretary on a half-time basis to the council. Before deciding questions of endorsement the Charities Committee secured from the Central Council reports on the social service activities of agencies whose applications were pending.

In 1916 Francis H. McLean came again to St. Louis and with the help of the several committees of the Central Council of Social Agencies made a quick survey of fundamental social problems. Many of his recommendations were put into effect, particularly as they effected higher standards of service, or closer coordination of various social agencies.

Although the world war took many social workers from St. Louis, the Central Council of Social Agencies itself did not languish during and after the war. It was able to bring about the creation of one or two new agencies to meet the special conditions created by the war, to provide for the rebuilding and reorganization of one or two inefficient agencies, and to cause the removal from St. Louis of at least one undesirable organization. In the first ten years of its life the Central Council of Social Agencies had thus been able to establish itself as a valuable and important factor in coordinating and improving social effort in St. Louis.

It became increasingly clear, however, that volunteer or part-time service would not suffice to carry on the important work which the council was developing. Friends of the cooperative movement accordingly raised a guarantee fund adequate to provide a director and modest staff for one year of demonstration, which began in July, 1921.

A reorganization of the council followed. As a result of an inquiry directed to all of the participating organizations, which by this time had increased to seventy-six, the name was changed to the Community Council of St. Louis. The number of representatives from each agency was cut from three delegates and three alternates to two delegates, one a board member, and one a staff member. The standing committees were replaced by fourteen departments corresponding to various social and administrative functions. These departments were in action by the late winter of 1922. They have already put through several significant pieces of work, including a study of illegitimacy by the Children's Department, the preparation of a standard family budget by the Family Department and a study of maternity care in St. Louis by the Health Department.

In the meantime, interest in the community chest method of financing social agencies had been growing in St. Louis. Sherman Kingsley, director of the Cleveland Welfare Federation and Community Fund, had been invited to St. Louis by the Children's Aid Society and had stirred up much enthusiasm for the plan. The Chamber of Commerce Charities Committee had in 1920 made a study of the operation of community chests, and had reported that while the chest seemed to work well in some cities, the movement was still an experiment and St. Louis should probably not attempt it until the local organizations had learned better how to work together.

Nearly two years later, in January, 1922, at an open meeting of the Community Council, a new study was authorized. A special Community Fund Committee was promptly appointed. This committee, working in cooperation with the Community Council Department of Financial Methods, recommended in May 1922 that the community fund plan be adopted in St. Louis as soon as a number of givers and agencies sufficient to make its success likely were in favor of the plan.

The Community Council forthwith invited all interested agencies to participate in the working out of such a plan. In November, 1922, the constitution and by-laws of the Community Fund of St. Louis were adopted by nearly forty of the leading non-sectarian and Protestant social agencies of this city. The Catholic and Jewish groups indicated their desire to remain out for at least the first year to see how the plan worked. Although it had been the intention of the Community Council to make the community fund merely one of its cooperative departments, the fact that only forty out of its ninety-four member agencies wished to share in the joint campaign made it desirable, for the first year at least, to make the fund a separate organization. It was therefore separately incorporated in January, 1923. In the meantime the larger givers to charity in St. Louis had been asked their opinion of the plan; over 90 per cent of the votes were favorable to its adoption.

The first campaign was held February 23 to March 5, for $1,081,684. The amount subscribed was $1,153,080 or 7 per cent over-subscription. The amount given to the forty participating organizations in 1922, including receipts from entertainments, balls, bazaars and similar devices was $535,311. The amount subscribed to the community fund was $617,769 more, an increase of 116 per cent. The number of givers to the participating organizations in 1922 was 8,764. The community fund secured 75,828, with probably 15,000 more still to be reported by the various employe divisions. Large givers on the average gave two and one-half times as much as their previous giving to the participating organizations.

Though there were no exclusively Catholic or Jewish agencies in the community fund (although practically all the forty were non-sectarian in service and the majority were non-sectarian in control), the community fund was liberally supported by Catholics and Jews, both as givers and campaign workers. All eligible charities and philanthropies of the city and county which did not participate in the 1923 campaign are now being invited to become institutional members with a view to sharing in the campaign of 1924.

Thus through a twelve-year period St. Louis has developed steadily and surely its program of community cooperation. Only a beginning has been made, but the slogan of the Community Council—"Team Work for a Better St. Louis"—has become a reality.

ELWOOD STREET

The Austrian Land Settlements

THE building of tenements in Vienna and other Austrian cities is likely to be stopped altogether, and the number of new suburban settlements on modern lines is likely to be increased by important developments since these enterprises were described in SURVEY GRAPHIC for December, 1922. And this in spite of the fact that temporarily most of these enterprises were checked by the very political and financial measures that were intended to help in the reconstruction of Austria. The financial restrictions of the allied government for the stabilization of the crown—and, it is suspected by some, for the encouragement of private industry at the expense of all socialized experiments—

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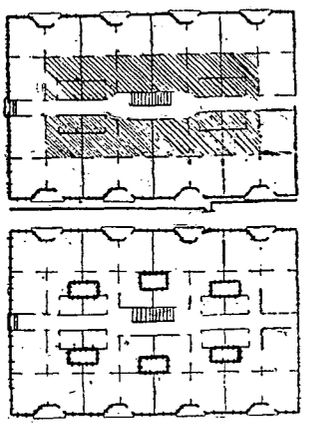
have meant that subsidies for the building of new houses are no longer available. The cooperative workshops for the fashioning of furniture also have been stopped by a glut of cheap output from the commercial factories. The American Friends Mission, which had taken such keen interest in the development of these cooperative schemes, has come to the rescue by making loans sufficient to carry through at least one of the schemes without government subsidies; but of course the result is little more than a small object lesson in self-help. Unemployment of the members, here as in the earlier enterprises—due to the higher exchange value of the crown and the fall of the mark which favors German as against Austrian industry—has meant a falling off in dues that had been used for part of the capitalization. The municipality, in addition to making loans of moderate size to the cooperative organization that is turning out the building material, intends to insure the completion of some of the larger schemes by additional taxation; but, writes a correspondent, although this would bring in a revenue of about ten milliards of crowns, it is by no means certain that this amount would suffice to complete these building programs.

The new situation has also brought about a further reduction in the size of homes on which the municipality feels justified to make loans; apparently this is looked upon with satisfaction by those who are concerned chiefly with the present congestion and the need for a larger *number* of new homes; but it is also possible that a large addition of more or less hastily built cottages of two or three rooms will involve the city in a huge housing problem a decade or two hence.

ARTHUR C. COMEY, the Cambridge, Massachusetts, city planner, prefaces an ingenious, though in many respects over-academic, scheme of regional planning (Regional Planning Theory, published by the author, Abbot Building, Harvard Square, Cambridge) with a peculiar attack on the British garden city theory. Apparently he finds fault with Letchworth and Wellwyn for two reasons: The first is that a period of fifteen years has elapsed between the founding of the first garden city and that of the second, so that the basic principles of the movement have not yet become applied to the bulk of building operations in Great Britain. Second is the quite gratuitous assumption that when Letchworth and Wellwyn will have reached a stated limit of population they will "apparently continue to grow despite all efforts to the contrary." So far as we know from the leaders of the English movement and its literature, there is absolutely no foundation for this assumption. As for the influence of the first and second garden cities, Mr. Comey admits that they have been models to a number of garden villages and suburbs where their methods of planning have been partially applied. He makes the further curious statement that "it is usually agreed even by British leaders that common ownership of land after development . . . is not a *sine qua non* for the garden city." This opinion we have never seen or heard expressed by any of those leaders.

BILLBOARDS are at least as old as Pompeii, as is shown by the most recent excavations, as described in the April number of Arts and Decoration. But apparently the advertising on walls was limited to whatever could be said with a stylus or a knife; and the process was not commercialized. A sound view of the matter still existed, is seems, as late as the opening years of this republic. The New York Times draws attention to an editorial in a New York newspaper in 1786 which read: "Several of the citizens, to the disgrace of good order and common decency, erect signs and showboards in such an extravagant manner that they not only encroach upon the privileges of their neighbors but disgrace and deform the city." In Pennsylvania, New York and several western states, movements are now under way which would protect at least some of the open country around our cities and along highways from the men who maltreat the American landscape for their private enrichment.



"INVESTIGATIONS of housing conditions throughout the state," says John Molitor, chief of the Pennsylvania Bureau of Housing, "have revealed the fact that you can not always judge a building by fine outside appearance. Often a tenement house has all appearance of being a well-built structure, but a look into the interior arrangement shows that no thought has been given to adequate lighting and ventilating of inside rooms." The diagrams here reproduced show how, at the instigation of the bureau, a tenement house containing forty dark and unventilated rooms (shaded) was remodeled to give the whole interior light and air.

A LAND settlement scheme, unique not only for size but also because of the political motive involved, is the plan recently made public by President Obregon, to convert a zone along the northern border of Mexico, comprising over one hundred million acres of brush and rough grazing land, into an agricultural belt by division into small tracts and the establishment of colonies. The area, known as Torrenos de Palomas, adjoins the Rio Grande and, because of its wild character, has for decades been the home of bandits and trouble-makers. The political importance of President Obregon's scheme, from the point of view of relations between Mexico and the United States, can hardly be exaggerated. What concerns us here is the immense opportunity for neighborly social service that would open up to socially minded Americans if that region close to our borders were to be settled with farmers from more southern states of Mexico that hitherto have had little direct touch with the United States.

WEST VIRGINIA is long on score cards. The self-scoring of rural communities under the auspices of the extension department of the state university has already been described in the SURVEY (December 25, 1920, p. 462). The sponsor of the system, Nat T. Frame, has cooperated with the chamber of commerce of Morgantown, of which Thomas F. Burley, Jr., is secretary-manager, in the preparation of a score card for similar use in towns and cities, under these heads: the municipality, service as a trade center, prosperity, social aspects, health, education, recreation, fine arts, religion, and community spirit.

FREDERICK LITCHFIELD, whose death is announced from England, was for many years the sole, and later the principal exponent of the co-partnership idea as applied to housing and the development of garden suburbs. He it was who raised the money that made possible the realization of Mr. Howard's dream at Letchworth; and his practical idealism has helped many other schemes over the teething period. The Hampstead Garden Suburb more particularly has lost in him its most enthusiastic promoter and friend.

CHICAGO'S zoning ordinance was adopted in April by a unanimous vote of the city council. With so large a city it is obviously on broader lines than the zoning regulations that might be practicable in a smaller area. Its distinctive feature is the establishment of building lines in all residential districts. The chief aim has been to guard the home sections against encroachments and the neighborhood of objectionable industries.

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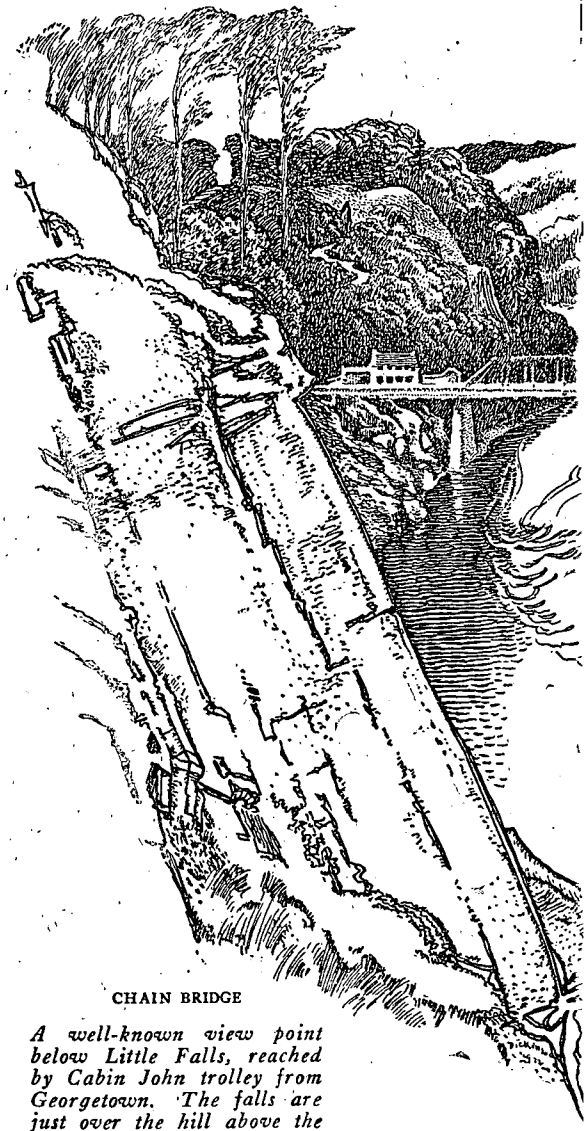
A Washington for Social W

Sketches by Robert L. Dickinson, which show some of the country" just outside the city of Washington, and within e The Washington Walk Book, by Dr. Dickinson, in which together with colored maps, numerous other illustrations a soon to be published by the American Geographi

THE THREE LOCKS

Along the Old Highway of the Painted Boats there are many picturesque glimpses—such as this one, caught by Dr. Dickinson in "a fountain-pen memorandum." The best section is from Cabin John to Great Falls, six miles (trolley from Georgetown to either terminus)

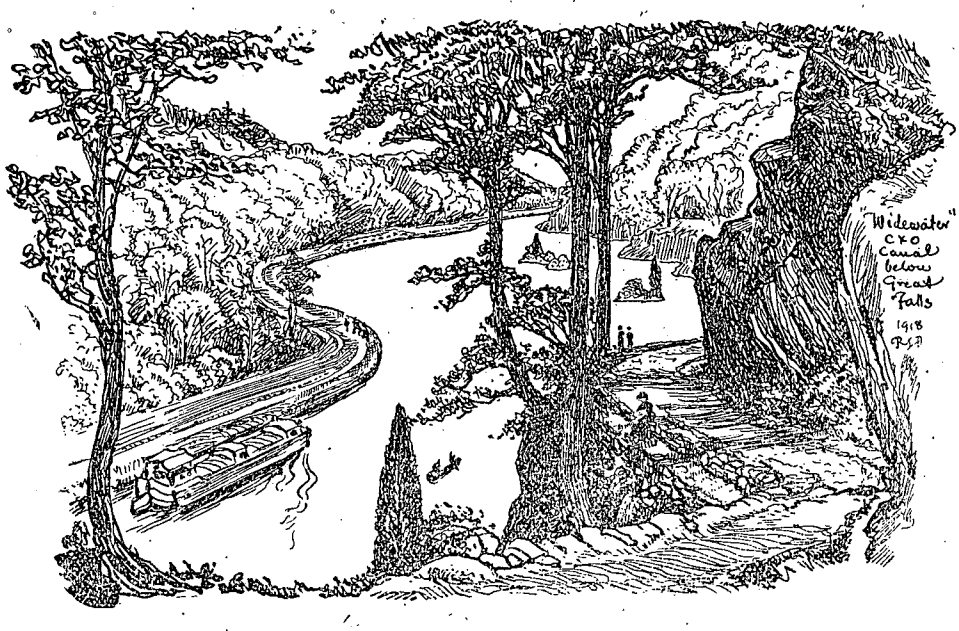


CHAIN BRIDGE

A well-known view point below Little Falls, reached by Cabin John trolley from Georgetown. The falls are just over the hill above the former inn at the bridge end. Three miles above Aqueduct Bridge

WIDEWATER

The stretch of canal below, bordered by its winding tow path, can be reached by automobile from Georgetown via Cabin John (six miles) to Widewater (five miles beyond)



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Guide

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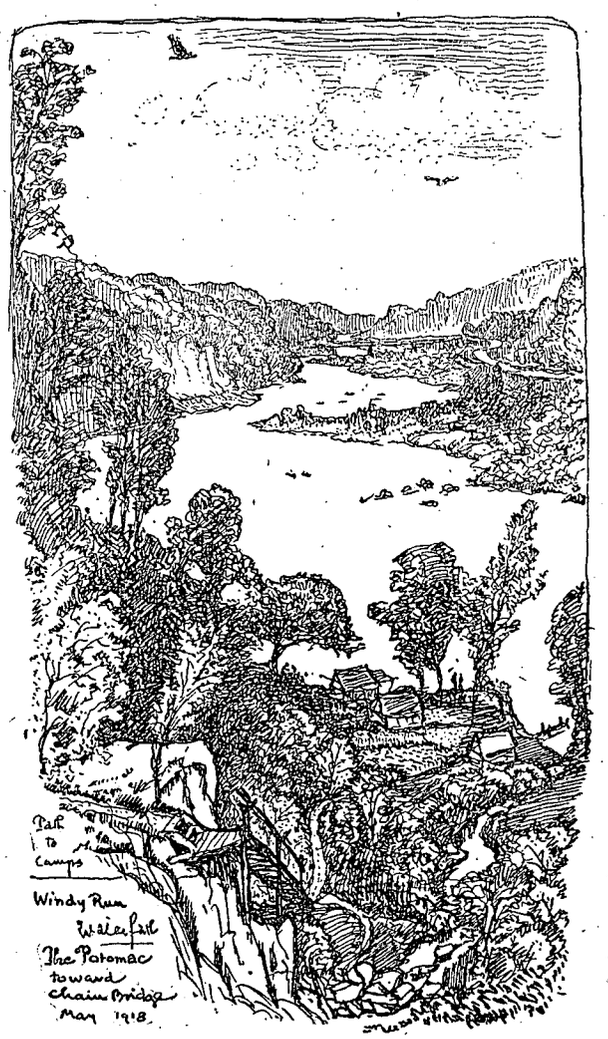
ABOVE GREAT FALLS

The most accessible part of the wilds of Washington. This lake, a mile and a half by path above the falls, has a camp with good food, clean bunks, canoes and punts. Just below the falls, only an hour by trolley from the city via Georgetown, are three miles of precipitous canyon, with stiff climbs and surpassing views. Above the falls, a rowboat ferry from Trammels goes to Lock Tavern, from which one can walk six miles by the tow path along the rapids to Cabin John



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GEORGETOWN

The university buildings and Acqueduct Bridge. Here the trolleys start for Cabin John, Chain Bridge and Great Falls. This view is reached by Great Falls trolley to Park Lane or Dominion Heights (two-mile walk)

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Justice for the Fatherless Child

IN ORGANIZED efforts to meet the problem of the child born outside of marriage the medieval approach was undoubtedly most picturesque. It led to the erection of massive, sometimes famously decorated buildings capping beautiful hilltops. It provided the mysterious cradle tour for the secret entrance of babies.

In an unscientific day when neither cause nor effect was scrutinized, this method, doubtless, represented an often deeply sincere desire to lighten human suffering. It also furnished to parents a means of escape from social stigma and from the burden of the child's support. When bulwarked by law which did not admit of legal proceedings for the establishment of the paternity of children born outside of marriage, as was the case under the Code Napoleon, the protection given through it to illicit parentage was fairly complete.

The parents went free, but the children died. With the most scientific and devoted attention, mortality among babies separated from their mothers and kept together in numbers under one roof has always been appallingly high.

In Europe during the last hundred years, in America during the last thirty, there has grown up a practise increasingly more sound, that is, more intelligent and genuinely helpful. It has come generally to be held that parents may not lightly or for personal convenience go free, or be helped to go free, from responsibility for the life so largely dependent upon them. The unfair share of hardship and suffering often left to the mother—the old-time attempt at justification for letting the child be done away with—is squarely faced in present-day thought. According to it, she is to be helped to carry her responsibility, not to escape it, and helped to bring the father to share in that responsibility.

From Pro Juventute, Zurich

Of recent years there has come into thought and legislation upon the subject a new and different emphasis: *Justice to the child.* A preeminent expression of this spirit has been the Castberg Law, passed in Norway in 1915. Originating in a memorandum and draft of a bill presented to the Storthing in 1901 by a convention of the Norwegian labor federations, the measure was taken up by Johan Castberg, one of the ablest of Norwegian statesmen, and became the subject of long study by himself and his colleagues, and a matter of nation-wide discussion.

As finally enacted, the law provides that so far as law and administration can bring it about, the child, hitherto so often the scapegoat, shall be shielded from stigma and given the rights and fair opportunities of childhood. The super-parent state becomes responsible for any action that is needed. The child is to be put in no shameful class apart. Rather the state is to aid all children in destitute circumstances, to prosecute the parents of all children abandoned by their natural protectors. Name, paternal as well as maternal support and care; education and training according to the standard of the better-off of the parents, inheritance; these are recognized simply as the rights of all children.

In court proceedings in case the paternity is doubtful because of the mother's confession of relations with more than one man, a guardian is appointed for the child and maintenance is assessed against all those who, the court finds, might have been the father of the child. A frequent American defense, that of trying to destroy the credibility of the mother's word by bringing in friends of the defendant to testify as to their own relations with her, is said not to be so frequent in Norway.

In the United States the Northwest has been most sensitive to Scandinavian influence. Minnesota, by a law of 1917, laid upon its State Board of Control the duty of looking after such children with the aim that they might have approximately equal protection and opportunity with others. Elaborate provision was made for a notification of the board in cases of such birth. That body, with the aid of its local boards, was to help the mother in persuading or prosecuting the father that he might assume his part of the responsibility. It was also to help the mother in plans for herself and her child. Careful provision was made for the legal establishment of paternity. The fact of illegitimacy was not to be noted in birth or death records.

By an act of North Dakota, also in 1917, all children whether born in or out of wedlock were declared to be the legitimate children of their natural parents, and so entitled to support and education. Children were to inherit from both natural parents and from their kindred, lineal and collateral. Each was to bear the name of the natural father, if the father was known.

In 1921 Arizona passed a law similar to that of North Dakota. Such a law, without elaborate provision for enforcement and careful safeguards, would seem to contain little more than an expression of sentiment. But we are noting the flow of the tide to an American frontier.

In a more sober current, Massachusetts, Minnesota, Missouri, Ohio, California, West Virginia and Wisconsin, during the last few years, have made their carefully drawn abandonment laws applicable to children born outside marriage, as well as to those recognized as legitimate. By the California law both father and mother must support and educate. Failure to do so is a crime.

Another closely related tendency in recent state law is that which is bringing under public record and control all transfers of parental responsibility.

The very popularity of child welfare work bred a danger. Orphan asylums, child-caring organizations, home-

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finding or boarding-out agencies, lying-in hospitals, individuals known as willing to find care for children, even the newspapers through their advertising sheets, came too often to be thought of as machinery for the easy transfer of parental duties.

In the case of incorporated asylums or associations and in poor law administration, laws began early to provide for state supervision, at first only in case of care paid for from public funds, but gradually extending to responsibility for supervision for all destitute and deserted children however aided.

Besides laws for state supervision of child-caring agencies, such statutes as the following are appearing:

It shall be unlawful to separate a child under the age of six months from its mother for the purpose of placing such child in a foster home or institution . . . unless it be necessary for the physical good of the mother or of such child that they be separated . . . and two physicians, qualified to practice medicine in the State of Maryland, and who shall have been engaged in active practice for at least five years, shall have signed a certificate setting forth the reasons for such necessity, or unless a court of competent jurisdiction shall have so ordered, or unless within the discretion of the Board of State Aid and Charities such separation is necessary, and the said Board gives its written consent thereto. [Laws of Maryland, Ch. 210, Sec. 484.]

Poster by the British Labor Party

North Carolina in 1917 passed a similar law, allowing separation only on consent of the clerk of the superior court and the county health officer. The penalty for violation was five hundred dollars or one year in prison, or both.

A New Jersey law of 1920 aims at newspaper advertising and renders parent or guardian or custodian liable to prosecution for cruelty and neglect should they make public appeal for a home for their child without first notifying the State Commissioner of Charities and securing his consent.

Ohio and Kansas laws directed against abuse connected with lying-in homes and hospitals decree that no such organization may advertise adoption or disposal of children as an inducement for women to come there for care. (Ohio General Code 1921, Sec. 6275; Kansas Laws of 1919, Ch. 210, Sec. 14.) Missouri attempts to accomplish the same end through a regulation by the state board for the government of maternity hospitals.

Wyoming decrees:

Private individuals, midwives, physicians, lying-in homes, hospitals and other unqualified institutions are forbidden to engage in placing out work; and violations of this restriction may be punished by a fine not exceeding one hundred dollars for each offense. [Comp. Stats. 1920, Sec. 3903.]

Various states place jurisdiction over the transfer of parental responsibility where it would seem logically to belong.

No person shall surrender control or custody of a child or transfer the control or custody to another and no person shall take possession or charge of a child so transferred, without having first filed a petition before a juvenile court having jurisdiction, praying that such surrender or transfer may be made, and having obtained such an order from such juvenile court. [Missouri Rev. Stats. 1919, Sec. 1103.]

Minnesota in 1919 passed a similar measure. Indiana several years before, in 1909, had provided that unless duly licensed or authorized by the Board of State Charities, no person other than the judge of a court should place permanently under the care and control of any one other than a relative a child under the age of three.

The tendency in American law seems obviously toward the establishment of the principle that there shall be no transfer of parental responsibility without action by a court of competent jurisdiction, or by a responsible, record-keeping public authority.

According to the best practice, effort is made to locate the father and gain his voluntary assumption of responsibility; that failing, the next step is vigorous prosecution. The mother is helped to stay by her child and, whenever possible a plan worked out with her by which the two may not be separated. Mental irresponsibility on the mother's part calling for institutional care, and criminality entailing prison or reformatory sentence are often considered reasons for separation, although in the latter case the law makes careful provision that a nursing baby may be kept with its mother. No intelligent official or association now countenances separation of mother and child for reasons of poverty only.

Now and then there are emotional waves reminiscent of former methods. Few abuses of recent days in New York have aroused more distress in the minds of thoughtful workers than occasional activity on the part of irresponsible individuals urging weak and despairing mothers in maternity homes and hospitals, sometimes even before the children are born, to sign them away to those wanting babies to adopt. This, of course, is circumventing our laws as to parental responsibility and as to the religious rights of the child; it is contravening the child's natural right to a nursing mother and, unless that mother is proved unfit before a court competent to judge in so momentous a matter, to the natural connection with her thereafter. As we have seen, the states have already begun to pass acts making such irresponsible interference punishable by law.

No one who has been seriously connected with responsible placing out work thinks, for a moment, that it is a light and easy matter to replace the natural mother by the foster home. Only those engaged in juvenile court work know the tragedies among children placed by irresponsible persons and later coming before the courts as victims of neglect or of unutterable abuse.

The complex problem of the child born outside of marriage had indeed been the subject of long and earnest thought by statesmen, by students, and by practical workers. Only out of the dark, discarded past echoes the tale of the cradle tour. Through common consent, born of experience and thought, certain basic principles have now come to be recognized. To quote from the *Minimum Standards for Child Welfare*, published by the Federal Children's Bureau:

Save for unusual reasons both parents [of a child born out of wedlock] should be held responsible for the child during its minority, and especially should the responsibility of the father be emphasized.

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Care of the child by its mother is highly desirable, particularly during the nursing months.

No parent of a child born out of wedlock should be permitted to surrender the child outside its own family, save with the consent of a properly designated State department or a court of proper jurisdiction.

Each State should make suitable provision of a humane character for establishing paternity and guaranteeing to children born out of wedlock the rights naturally belonging to children born in wedlock. The fathers of such children should be under the same financial responsibilities and the same legal liabilities toward their children as other fathers. The administration of the courts with reference to such cases should be so regulated as not only to protect the legal rights of the mother and child, but, also, to avoid unnecessary publicity and humiliation.

The treatment of the unmarried mother and her child should include the best medical supervision, and should be so directed as to afford the widest opportunity for wholesome, normal life.

EMELYN PECK

Not Much in Chauncey's Line

WE RACKED our brains, we held our heads, we reviewed the facts, we canvassed the situation, we pooled our suggestions, we did everything in the way of cooperative cerebration that promised the slightest hope—and absolutely no result emerged. Seven college-bred, trained, experienced, highly selected, and otherwise properly hall-marked social workers were completely and unmistakably flabbergasted by the problems of one Chauncey Depew Dixon, fifteen years old, mulatto, of winning ways and psychopathic personality and a resident of the city of New York.

His own home in a Negro tenement rated low as a possibility for getting him over his difficulties. His eighty-year-old father, a pensioned Civil War veteran, figured largely as a source of beatings and senile abuse. His mother, just turned forty, worked long hours every day and spent Sundays attending the four sessions at church. She was the daughter of a respected colored preacher. His older half-sister, separated, with two small children, stayed at home and, besides her own children, looked after Chauncey, his ten-year-old sister, his five-year-old brother and sister, who were twins, and his adopted brother of three, acquired from an unmarried girl in the neighborhood. These children, in addition to the old father, gave the housekeeper little chance to devote any time particularly to Chauncey, even if she had known what to do with him. The neighborhood touched bottom in its accumulation of evil influences. In its streets, alleys and rookeries were to be found gangs and gambling, prostitution and traffic in drugs.

Chauncey contained within his undersized person an equally heterogeneous collection of problems. He was pre-tubercular, with a pronounced heart murmur which, it would seem, he could work up into a regular rattle box when he applied himself to it. There was a suspicion of congenital syphilis. A fervent religious vocabulary, a normal intelligence quotient, a habit of lying, a propensity for stealing jangled in his mental make-up. In the several schools—in open-air classes as well as the regular classes—uproar and obscene pictures had made their appearance with Chauncey.

But he did have winning ways—temporarily winning, at least. The numerous doctors and nurses who examined him and the casual acquaintances he made, all found his quaint piety most delightful. To the people who had more dealings with him the charm of his soft eyes and upturned face of appeal had become somewhat tarnished. His mother, who saw him at his best and only heard about his departures from the path of virtue, thought him wonderful. At home he contested with his father the place of leadership as the leading masculine figure.

The school authorities were in despair because Chauncey played havoc with their influence over the smaller children with whom he graded. But he couldn't get out of school before he was sixteen. He couldn't be sent to the reformatory because misbehavior serious enough to impress the judge could not be proved in court, and any way, his mother would not consent to sending him to a place suggesting disciplinary treatment. No relatives or friends in the city or the country were available for taking Chauncey, even temporarily. The psychiatrist said he must be got out of that home and neighborhood, which were contributing to his increasingly unsatisfactory behavior. He needed an environment where there would be no audience to key him up to showing off.

It was at this point that the seven social workers sat on Chauncey and his problems. One of them had just come from another community and was expected to bring an outside point of view.

"Why don't you get him just the right kind of boarding home where he will be kept quiet and under observation and close supervision for a while and see how he responds?" said this outsider, with a touch of the "I should-think-that-would-have-occurred-to-you-ere-this" manner. "Get your agency dealing with problem children to take Chauncey's career in hand for a while."

The other six regarded her pityingly and then patiently explained. There was no agency which would take him for a period of observation and intensive study. There were splendid psychiatric clinics that would diagnose and advise on the problem child; there were agencies to find adoptive homes for eligible candidates; there were agencies that would export a child to some other part of the country; there were reformatories for the definitely delinquent and convalescent homes for the definitely convalescent without serious behavior twists. There were means for "vacations in the country." There used to be a division in the Department of Public Welfare that found private homes for children in the city, but with a change of administration that had gone by the board. The Jewish agencies found private homes for Jewish children, but Chauncey, Protestant and colored, obviously wouldn't fit. Had he been white, Protestant or Catholic, he would have been in the same predicament. There were children's homes of all varieties and hues of religious complexion, but Chauncey and his habits would certainly complicate life in any children's institution not specially prepared to cope with psychiatric and health problems, and, anyhow, Chauncey needed to be retired for a while to some more secluded environment. One hospital social service found private homes for its small patients needing special care but it wouldn't be fair to expect them to take on Chauncey. The family agency worker with thirty other families was certainly in no position to start out forthwith to find a home, place Chauncey in it and supervise him closely over a period of time.

* * * * * *

On the table lay the bulky directory of social agencies of the city of New York but it indicated no doors that would open for Chauncey. All that the seven balked social workers could do was to tell the world about it.

N. R. D.

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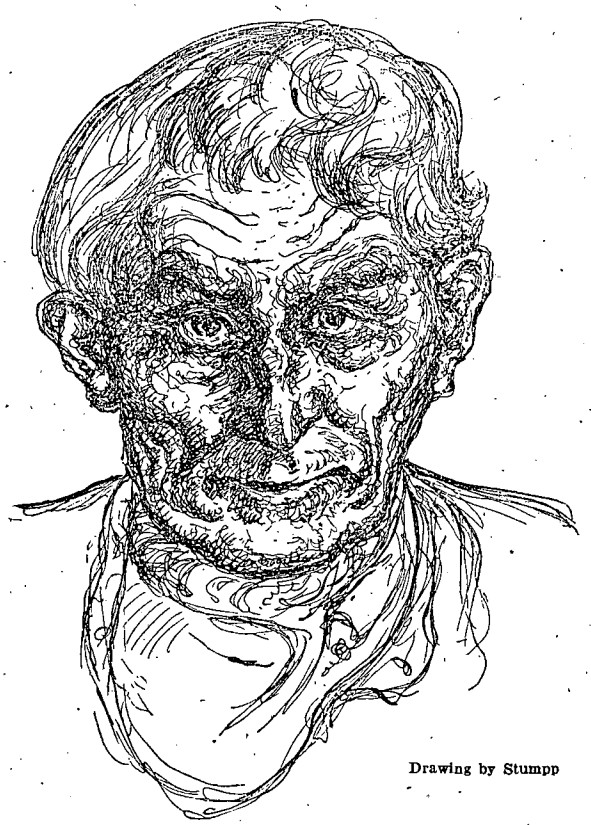
If You Grow Old in Montana

IF you are seventy years old and have lived in Montana fifteen of those years, and are incapable of providing more than $300 toward your annual living expenses, you may receive an old age pension of $25 a month or less. This, on the face of it, is a radical change in the method of distributing public charity in the United States. This change, curiously enough, became operative in Nevada and Montana on the same day (March 5), after having been staunchly supported in both states by the Fraternal Order of Eagles. The bill in Montana was introduced by Lester Loble, a prominent young attorney of Helena and a local leader of the Eagles.

I say you *may* receive a pension, because there is a significant little clause which throws the entire effectiveness of the bill upon the county commissioners of the several counties of the state, with whom rests the administration of the old age pension system. It makes of the bill an enabling act rather than a mandatory law; and where commissioners do choose to invoke the law, they are given a latitude of power which leaves the claimant for a pension on shaky ground.



Drawing by Stumpp

It is interesting that while the Nevada legislature changed the age of the pensioner in the original bill from seventy to sixty years, the legislature of Montana took the opposite stand and changed the minimum age from sixty (in the original bill) to seventy years. In Nevada it was contended that there were worn-out old miners of 60 years who were entitled to relief. In Montana the attitude seemed to be that a man under seventy could somehow provide for himself.

According to the Montana law an old age pension may be granted only to an applicant who

(a) Has attained the age of seventy years or upwards.

(b) Has been a citizen of the United States for at least fifteen years before making application for a pension.

(c) Resides in the state of Montana and has so resided continuously therein for not less than fifteen years immediately preceding the date of the application for a pension, provided that continuous residence in the state shall not be deemed to have been interrupted by occasional absence therefrom where the total period of such absence does not exceed three years; or by absence from the state while in the employ or service of the state or of the United States. And provided further that a person who has resided in the state of Montana twenty-five years at least five of which have been immediately preceding the date of the application, shall be deemed qualified in respect to residence.

(d) That during the period of ten years preceding such date of application he has not been imprisoned for any offense punishable by imprisonment in the State Penitentiary.

(e) That the claimant, if a husband, has not during the period of fifteen years immediately preceding such date of application for a pension, for a period of six months or upwards, deserted his wife or without just cause failed to provide for her with adequate means of maintenance or neglected to maintain and provide for such of his children as were under the age of fifteen years; or, if a wife, deserted her husband or such of her children as were under age without cause.

(f) That he has not been, within one year preceding such application for pension, a professional tramp or beggar.

The residence requirement goes hard with a penniless old man who, let us say, has lived in Montana twelve or fourteen years, and is past seventy years of age. Possibly, in the counties where poor farms are provided, he may go to such an institution to mark time. This would probably be more expensive to the county than granting a pension; and on the other hand the new pension system is likely to throw out of operation whatever poor farms now exist, inasmuch as the per capita operating expense of the Montana farms varies from $60 to $25 a month. It is safe to assume that the average pension will be under $25.

The stipulation against the professional tramp or beggar is subject to interesting speculation. In the first place, if the claimant has been able to provide for himself without begging up to his seventieth birthday, it is difficult to imagine that upon the dawn of his birthday he should suddenly find himself in need of the meager allowance provided in the pension bill. On the other hand, without stretching a point, the provision might be found to mean that a man may be a professional beggar up until his sixty-ninth birthday, and save up enough money from his begging to make him independent for the year immediately preceding his seventieth birthday, thus becoming eligible for a pension!

These pensions, which cannot be sold or attached or transferred in any way, once they are issued, expire one year after they are granted, and must be renewed each year.

In order that pensions may go only to the needy, the bill provides that the income of the claimant from all sources shall not exceed $300 a year. Attached to this provision was originally a clause providing that the claimant could not own more than $3,000 worth of property including a homestead. This provision was struck out at the suggestion of the Senate on the ground that a man owning property worth $3,000 could not be considered needy. In striking out the the clause, they naïvely left indefinite the amount of property a claimant may own. However, a later provision insists that the income of any property inclusive of a homestead shall be computed at 5 per cent of its determined value; and this, in the face of the $300 income allowed the claimant, automatically places the property allowance at $6,000.

The amount of each individual pension is to be left to the discretion of the county Old Age Pension Commissioners, but no pension shall exceed $25. It is implied in the bill that a pension may be granted to a *person* or to *a married couple,* so that in some cases it will mean that two persons together may not receive more than $25 a month; and this only in case that their income from property or other sources is so far short of the maximum allowed ($300 a year), that a maximum pension seems warranted.

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Prohibition and Family Welfare

THE Poster Committee of the Boston Family Welfare Society is circulating the following figures showing a "74 per cent average decrease in drink cases coming to charity organizations" when the years 1917, "wet," and 1922, "dry," are compared.

Organization	Percentage of Decrease
St. Louis, Missouri—Provident Association	84.5
Chicago, Illinois—United Charities	69.9
Boston, Massachusetts—Family Welfare Society*	72.6
Pawtucket, Rhode Island—Associated Charities	82.4
Atlantic City, New Jersey—Welfare Bureau	81.4
Newport, Rhode Island—Charity Organization Society	46.7
Portland, Maine—Associated Charities	97.4
Cleveland, Ohio—Associated Charities	67.3
La Crosse, Wisconsin—Social Service Society	88.3
New York City—Charity Organization Society	68.8
Hartford, Connecticut—Charity Organization Society	92.0
Washington, D. C.—Associated Charities	71.7
Rochester, New York—Social Welfare League	88.2
Providence, Rhode Island—Society for Organizing Charity†	100.0
Newburyport, Massachusetts—Community Welfare Service	84.5
Plainfield, New Jersey—Charity Organization Society	72.2
Unnamed City, Wisconsin—Family Union Society	77.7
Lexington, Kentucky—Associated Charities	79.5
Fitchburg, Massachusetts—Family Welfare Association	99.5
Haverhill, Massachusetts—Associated Charities	39.0
Portland, Oregon—Public Welfare Bureau (increase)	60.3

(*) Eight months.
(†) Drink important factor.

The pensions are to be taken out of the Poor Fund of the several counties, and reimbursement to the Poor Fund is provided by this section:

(c) At the death of the person to whom the pension is granted, or of the last survivor of a married couple, the total amount of the pension since the first grant, together with 5 per centum of interest shall be deducted and allowed by the proper courts out of the proceeds of his or her property as a preferred claim against the estate of the person so assisted, and refunded to the County Treasurer to the credit of the Poor Fund, leaving the balance for distribution among the lawful heirs in accordance with law; provided that the Old Age Pension Commission *may demand the assignment or transfer of such property upon the first grant of such pension.* The Old Age Pension Commission shall establish such rules and regulations regarding the care, transfer, management, and sale of such property as it deems advisable, and also provide *for the return of the balance of the claimant's property into its hands whenever the pension is withdrawn or the claimant ceases to request it.*

In this last clause, providing for the virtual confiscation of the claimant's property at the discretion of the commissioners, lurks obvious danger. In this, as in several other places in the bill, too much power is vested in the commissioners; especially in view of the fact that "these provisions for providing old age pensions shall not be construed as a vested right in the pensioner."

In other words, the pension herein provided is not a pension for old age; it is a possible pension for aged paupers. It fails to carry with it the dignity of foreign old age pensions which are usually administered by an experienced and expert bureau of the federal government. There is no particular reason why an old age pension should depend upon pauperization qualifications. In many instances the system is simply one of insurance by which the workman and the employer pay a small sum to the government monthly and when the workman reaches a certain age he may retire and live upon his pension with the dignity of knowing that he has earned an old age competence.

It is true that such a system could not have been put through the legislatures of most of the northwestern states this year, on account of the impoverished condition of the treasuries of the several states. It would have been impossible to finance the very machinery with which to administer the pensions.

But even as a change in the method of distributing public charities, the new so-called old age pension system is welcome. It gives the recipient of the pension a certain latitude of choice in the use of the money which the county is spending on him. And it makes the proverbial dignity of gray hairs a shade more real by investing the penniless aged folk with a certain amount of self-respect which the common poor farm now denies them. A considerable number of aged inmates of the Lewis and Clarke county poor farm have already voluntarily made inquiries regarding the method of application for a pension, declaring that they would a thousand times rather live meagerly on an income of their own than comfortably in the poor farm with its connotation of disgrace.

BELLE FLIGELMAN

THE BOSTON SOCIETY FOR THE CARE OF GIRLS, incorporated in 1803, and the Boston Children's Aid Society, incorporated 1865, have federated, after a year's consideration, under the name of the Children's Aid Association, which has opened new headquarters at 24 Mount Vernon Street. Six directors from each society join forces in the Association Committee, under the chairmanship of Robert B. Stone. Margaret Curtis is secretary and Alfred F. Whitman executive secretary. In addition to carrying forward all the lines of work formerly done by the two agencies, the association has established a research department for fresh study of underlying causes, unmet needs, comparative efficiency of various types of work, experimental treatment of old problems, and the training of personnel.

THE GIFT in kind and the gift of hand labor must play their part in social economy. South Bend, Indiana, has an upstanding financial federation. Some groups of women who had been sewing year after year for the Anti-Tuberculosis League—on open-air schoolroom suits and the like—began to question whether there was still need for their gift of time and labor, since their gifts of money were generous and adequate. The league met them on their own ground: a tally was kept of the cash value of volunteer help. In a single month 206 hours of clerical work, valued at 35 cents an hour, were contributed; sewing accounted for $32.80, at 64 cents an hour. Professional services were given, too, and even a hand with the office furniture on occasion. The total for the first month of reckoning was $199.98. The league, arguing that a penny saved is a penny earned, won the continued service of its friends by this demonstration of their practical value in extending its resources.

IN THE MIDMONTHLY for April 15, 1923, p. 104, the pamphlet A Practical Program for Church Groups in Jail Work was erroneously credited to the Federal Council. It is published by the Department of Christian Social Service of the National Council of the Episcopal Church, and may be obtained from them at 281 Fourth Avenue, New York.

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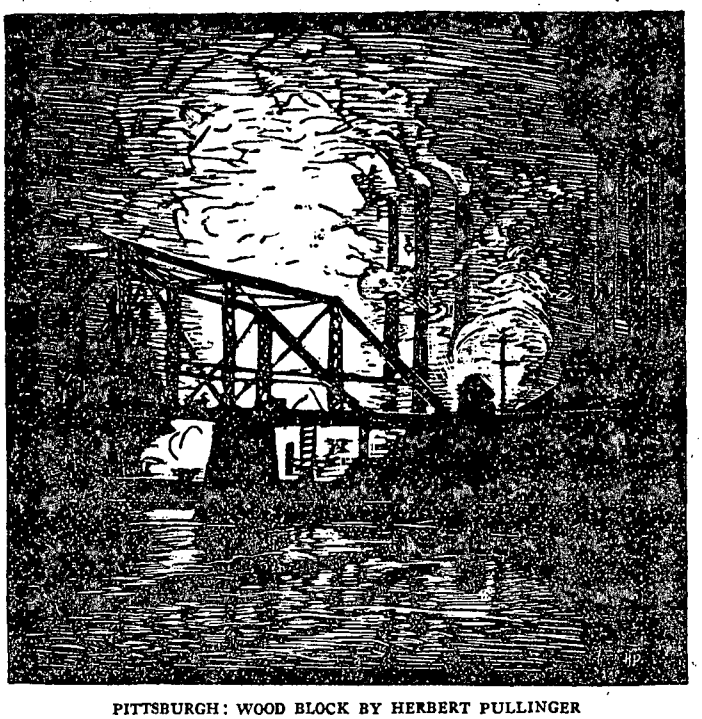
INDUSTRY

Winds of Propaganda

THE winds of propaganda are swiftly boxing the compass so far as the "foreigner" is concerned. Yesterday they blew inhospitably upon him. If he belonged to the new immigration he was held suspect as a carrier of disease, the bulwark of illiteracy, above all as the focus of subversive revolutionary agitation. Hardly a week passed without a raid upon him; he was perpetually in danger of arrest with or without formal legal warrant; he figured largely in deportations. The set of opinion was so strong against him that it culminated first in the federal deportation law of May, 1920, and then in the immigration law of May, 1921, by which the number of aliens of any nationality admissible to the United States in any fiscal year was limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as shown by the 1910 census. This law cut the number of immigrants from about one million to a maximum of 355,825 in any one year. It was passed during a period of business depression and severe unemployment. Since then the business cycle has turned sharply upward; production is booming, labor is in great demand, inter-industrial competition for workers has resulted in a succession of voluntary wage increases. Overnight our grievances against the foreigner are forgotten. The winds of propaganda have shifted from north-northeast to the balmier points of the compass. The menace of yesterday is by way of transmogrification into today's savior.

Addressing the stockholders of the United States Steel Corporation on April 16 the chairman of the board stigmatized our immigration restriction law as "the worst thing that has ever happened to the country, economically." He turned eager eyes to the "great abundance of labor on the other side of the world that would be glad to come here and develop our resources." His hospitable sentiment has been echoed from the mills of Pittsburgh. During 1921 the Steel Corporation set the pace in deflating labor. From the top rate of $5.06 for a ten-hour day to common labor paid in February, 1920, successive cuts brought the scale to $3.00 in August, 1921. In September, 1922, wages to common labor were increased to $3.60 for a ten-hour day. Last month brought a further 11 per cent increase—four cents an hour, forty cents a day. Reports from the mills say that little or no surprise was shown by the local officials when the announcement of this last raise brought no more than the usual quota of applicants to the gates. The labor situation is most unsatisfactory, these officials are reported as saying, and is growing steadily worse. It is impossible to increase production to keep pace with orders. The only hope of continued prosperity lies in the abundance of willing labor in central and southern Europe. They can come to our rescue only if the bars against free immigration are let down.

In so far as this shift in the wind makes us more magnanimous toward the foreigner, more tolerant of ideas and opinions divergent from our own, it is greatly to be welcomed. But it would be a grievous misfortune if it made us overquick to forget the extremely serious consequences of an immigration policy that flooded us with aliens at a rate that made assimilation impossible. It is not without significance that the industrial centers from which the cry for the foreigner now comes most plaintively are the same as those in which only yesterday he was most roughly handled and is still most ruthlessly exploited. The two-shift system still persists in the mills of the Steel Corporation in spite of many promises of elimination. Steel is still not only an anti-union but also a no-conference industry. The recent wage increases were granted as a boon from above and not as a result of collective bargaining with men organized either in trade or shop unions. No effective steps have been taken to organize modern labor exchanges either privately or in cooperation with the government. An hourly rate of forty cents an hour for a ten-hour day—especially in the face of gross earnings of the Steel Corporation alone of $1,092,697,772 in 1922 as compared with $986,749,719 in 1921, and an undivided surplus on December 31, 1922, of $499,139,414—does not indicate that all that an American standard of living calls for has been done to attract labor. Under the circumstances the beating at the immigration bars does not give convincing proof that our only hope of prosperity lies in the cheap labor of southern Europe.



PITTSBURGH: WOOD BLOCK BY HERBERT PULLINGER

The present propaganda has an ominous bearing upon the question of the two-shift system in steel. The Federal Council of Churches has just published a pamphlet on the Twelve Hour Day in the Steel In-

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dustry, reminding us that in March, 1921, Mr. Gary announced that the Steel Corporation had appointed a committee on the twelve-hour day, whose public report could be expected "in thirty days or a little more." In September, 1921, no announcement had been forthcoming and the committee was understood to have ceased work on the matter. In the spring of 1922, the President of the United States called upon the heads of the industry to make every effort to abolish the twelve-hour day and the "type of worker it produces," as having "outlived their usefulness and their part in American life, . . . in the interests of good citizenship, of good business, and of economic stability." In response to the President, the Iron and Steel Institute appointed another committee whose report, Mr. Gary has intimated, may be expected this month. Will the alleged labor shortage be the excuse for continuing this ancient evil?

In his recent study of the technical and social aspects of the twelve-hour day, prepared for a committee of the Federated American Engineering Societies, Bradley Stoughton observes that the American iron and steel industry is at a disadvantage in dealing with technical questions because it never has had a well developed research department. Most of the important technical changes, even though invented in America, he says, have had to be tested and worked into established practice in foreign countries before being generally adopted here. This has been true of gas engines at blast furnaces, and of electric production and refining of steel. It is equally true of the three-shift eight-hour work period, which has been universally adopted in Europe. An attempt to break down the restrictions against excessive immigration and to substitute cheap labor for scientific research and good management as a solution of the alleged labor shortage would be a confession of technical incompetence. When good American standards of work and wages have been established in the steel industry it will be time to consider whether our continued industrial prosperity depends so largely as has been suggested upon the abundance of labor on the other side of the world that would be willing to come here and develop our resources.

ROBERT W. BRUÈRE

Kansas Clings to Its Court

THE biennial legislative session has come to an end. The farmers have returned to their plows, the lawyers and editors to their desks, the trade-union representatives to their supporters, the governor to a quiet corner. And the Industrial Court law remains unchanged!

That is not hard to explain. The trade-union vote and that dependent upon it, though effectively concentrated and fairly well united in opposition to the court, is only a small minority in the state. And the other sections of the public still do support the court and adhere to a general belief in its usefulness, provided it does not cost the public purse too much. Then besides, the local Republican machine, headed by former Governor Allen, had organized the legislature before it met, before it was elected.

None of the various changes suggested to the legislature sought to remedy the chief defect of the law—the lack of definite protection it gives the trade-union position—or to secure the cooperation of the unions for the court. The unions themselves did not foster any such attempt and no one else cared to. Trade-union executives usually argue that our present legal system and constitutional obstacles make any reform within the court impossible.

So the court remains, although none of the opposition (which has reduced it, so far, mainly to a compelling force used in time of trouble to keep the peace) has been won over.

It is impossible in any short account to explain exactly what took place during the legislative session. Governor Davis, in various messages, recommended first total repeal, then a one-man court with two members of the public utilities commission to sit with him at hearings. The Republican majority jockeyed that second scheme out of the way by means of a substitute measure—then killed the substitute! Some of that same majority ached to bind the governor's hands in the matter of appointment but feared a split in the party ranks.

Presiding Judge Huggins' term came to an end. McDermott has been appointed presiding judge in his stead and Henderson S. Martin, a Democrat, has been given the vacant place. Martin is a lawyer, a worker for the party for many years, an able and thoughtful man who is likely to cooperate with the Republican majority on the court.

There are at the present time no cases before the court. There have been none of any importance since the two national strikes of last year. Thus while its political fate was being decided the court was almost idle.

Within the past fortnight, however, a duty has been imposed upon it which is both onerous and critical. As is well known, none of the Kansas railroads signed any agreement with their striking shopmen. They have been, and still are, operating their works with those shopmen who did not go out and with the new force they recruited. The roads refused to negotiate with the shopmen's organization which called the strike, and some of them have set up unions on their individual systems. They will re-employ former strikers only as new men, will not restore their priority rights, and probably would not re-employ certain leaders at all. That policy has proven relatively successful up to the present. There are still a great many experienced shopmen in Kansas who have not gone back to work—between 1,500 and 1,600 in Topeka alone.

Governor Davis requested the court to make an investigation which was not to involve any attempt to fix the blame for the situation, but was to provide answers to these questions: First, What prevents the railroads from employing the skilled mechanics that are available? And second, What prevents the available skilled labor from seeking employment with the railroads? And having made its investigation the court was asked to use all its powers of persuasion and argument to bring about a mutual understanding and agreement between the parties. In transmitting a copy of this letter of instructions to the court to B. M. Jewell, president of the Shopmen's Organization, the governor, who is not one to lose a chance to enjoy his own humor, referred to the matter in the following way: "I am asking our far-famed Industrial Court, which I did not succeed in getting abolished, to see if it cannot assist in bringing about an understanding."

Judge McDermott has made public the result of his investigation, the outstanding fact of which was that more men were employed in the railway shops in Kansas on January 1, 1923, than immediately before the strike last July. This would seem to imply that in his judgment there is no further room for the striking shopmen. Incidentally, the report estimated the extraordinary expenses of the railroads of Kansas during the strike to be about three millions. The shopmen say they will accept no poorer terms than those laid down by President Harding. The governor has called McDermott's report a "whitewash" of the railroads, and

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charges that the court broke faith with him by making the report public instead of sending it to him. That he intends to try to pursue the matter further is indicated by the fact that by not approving the expense account, he is holding Henderson Martin, an associate member of the board, back from Washington (where he was going to help plead the court's case) to work upon the shopmen's situation.

There is not much reason for believing that the court will have great success in this endeavor. The local shop crafts' organization would probably consent to any arrangement which did not amount to its utter destruction and the complete loss of seniority rights. But the roads believe they are playing a winning game, and they claim that their new forces are satisfactory; it is therefore unlikely that they will now recede from their present position. Possible fear of indirect political pressure (the railroads are none too popular in the state) and the continuance of the traffic boom are the only considerations which may induce them to adopt a conciliatory attitude. If the court should succeed in this task it would strengthen public confidence in its operation, and might diminish trade-union opposition considerably. It is safe to prophesy that if the first attempt fails the governor will call for a more comprehensive investigation aimed to fix blame, and to assess the costs of the strike to the roads, the strikers and the people of the state.

The other matter which is occupying the court is the constitutional test of the law before the United States Supreme Court toward the end of April—as important a case as any that has ever gone up from this state. The test case is that of the Wolff Packing Company—which was ordered by the court in 1921 to increase wages, while then in an unprosperous period. The wages in question have since been impounded. The trade unions quote the case as proof that employers can interfere with the court's operations when it suits them; but it must be regarded distinctly as a pioneer test case.

Unless the Supreme Court intentionally chooses to avoid the question, its decision in this case will probably settle the constitutionality of the court's main powers. The court's chief defense, in view of the recent District of Columbia minimum wage case, will be that its wage-regulating powers extend only to industries affected with a public interest, and are to be used only in public emergencies, when the police power can be justly invoked. The question of the prohibition by the law of picketing and of strikes is not likely to be raised unless the Supreme Court brings it up. The attack on the law will follow the familiar lines of undue restriction of freedom of contract and taking of property without due process of law.

One last thing to be observed is that the character of the defense is such as definitely interprets the law as an *emergency* statute, not to be invoked unless some threat to the public safety, health or well-being exists; and thus commits the court to that doctrine in the future. That interpretation is not without its difficulties; the law appears to prohibit certain acts (such as picketing) in the enumerated industries under all circumstances.

If the Supreme Court finds against the law, it will probably be radically reformed. If it sustains it, the decision will strengthen the support of the law in the state. The present governor is not likely to put any new hindrances in the way of its proper operation—at least no more than Allen did. But the court will still have to reckon with all the difficulties its past existence has revealed.

HERBERT FEIS

Fund—But Not Foundation

THE American Fund for Public Service has just given out a statement of its activities for the six months ending with January 1. (See the SURVEY, July 15, 1922, p. 498.) The immediate occasion for this statement is the recent public attack of Samuel Gompers on the ground that the fund is a revolutionary organization with which it is improper for the labor movement to deal.

This fund of $850,000 is the greater part of the inheritance left Charles Garland by his father. In making the gift Mr. Garland said:

> It is my desire that through the Fund the money be turned over to individuals and to groups of individuals. These shall be trusted to use it to the benefit of mankind—to the benefit of poor as much as rich, of black as much as white, of foreigners as much as citizens, of so-called criminals as much as the uncondemned. They shall be trusted not to use it to the advantage of one individual as opposed to another, of one group as opposed to another, of one class or one nation as opposed to another.

The board of trustees had no interest in conserving the principal or in building up a great foundation which might, on the strength of its money, become dictatorial. Agreement was reached to make no distinction between income and principal, but to give or loan such amounts of money as seemed best to promote progress in the movements which most interested the board. The board has decided to use the fund primarily for producers' movements, as expressed in the work of organized labor and farmers, and in work directly in their interest through research and investigation, publication and distribution, workers' education, experimental industrial enterprises, including producers' and consumers' cooperation, and also in the protection of minorities through publicity and legal defense.

Three hundred and twenty applications for aid from the fund were received during the first six months, of which 148 were for personal aid or investments in inventions or profit-making enterprises and were not therefore considered. A singularly large number of the 148 came from farmers in distress. Forty-nine applications have been favorably acted upon, four are still under consideration, 114 were rejected.

The total appropriated is $24,985.50, of which $2,000 was for the relief of the starving and destitute coal miners in District No. 2 of the United Mine Workers at Cresson, Pennsylvania; $1,000 to the Brookwood Labor College at Katonah, New York; $5,000 to the Rand School of Social Science in New York City; $500 to the Ferrer School at Stelton, New Jersey; $500 to the Teachers Union for its campaign to repeal the Lusk laws; $3,365 to the National Association for the Advancement of the Colored People for an educational campaign in connection with the Federal Anti-Lynching bill. The amount spent for publicity and publications, $3,820, has gone to the Federated Press of Chicago, the World Tomorrow of New York City, the American Civil Liberties Union of New York City and the Liberator, also of New York City. The sum of $7,900 has gone to the League for Industrial Democracy and the Workers Health Bureau for educational propaganda, and $900 for legal defense work in connection with the Sacco-Vanzetti trial in Boston and the trial of Jacob Cohen in Memphis. Loans amounted to $107,450, of which $25,750 was repaid before the last of January. These loans were made under various conditions and for various periods to the United Mine Workers District No. 2; the House of the Masses, in Detroit; Brookwood Labor College; the Fed-

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eral Labor Union of St. Thomas, Virgin Islands; the Midland Empire Cooperative Publishing Association of Billings, Montana; the Labor Age, New York City; the New York Call; Minnesota Daily Star of Minneapolis; the Oklahoma Leader; the Messenger Publishing Company of New York City; the Labor Defense Council of Chicago; the Labor Defense Council of New York; the United Mine Workers of Westmoreland County, Pennsylvania; the Workers Defense Union of New York City; the Brooklyn Urban League of Brooklyn; the Labor Bureau, Inc., New York City; the League for Mutual Aid of New York City, and the Cooperative Glove Association of Chicago.

None of these enterprises could probably expect help from any of the funds previously established in America, and yet all of them so far as the board can determine are actively furthering the things which should flourish in a republic—the dissemination of knowledge, equality before the law, relief of those suffering through industrial disputes, experiments in better industrial organization.

This fund may mark the beginning of something quite different from anything heretofore attempted in the dissemination of large fortunes, the putting of surplus capital into immediate use.

"I feel personally," wrote Mr. Garland, "that the money should be distributed as fast as it can be put into reliable hands. . . . For with the crying needs there are in the world today I do not believe it possible to hold money unless human compassion is pretty well smothered in theories. If we feel that money can help we ought to strive to give that help *now* . . . "

Sweaters, Saloons, Sweatshops

FORMERLY the business of producing some new thing seemed to start at the bottom of the scale so far as industrial conditions were concerned, and climb slowly up to decency as public opinion crystallized into regulatory laws. The work of weaving cloth in factories sacrificed the workers to the product for decades. Regulation of hours and wages, sanitation and safety have come at the price of strikes, lockouts and general public indignation. But the textile mill's youngest offspring, the outer-wear knit goods industry, is having no such experience. It would seem that we have passed the stage of demonstrating everything all over from the beginning whenever we start a new industry.

The outer-wear knit goods industry is not only new but it is typically American. We make more knit goods than the United Kingdom, Germany and France, combined. The value of our product has increased 176 per cent from 1914 to 1919, when it reached the figure of $713,140,000. The home of these knitting factories is in the boroughs of Brooklyn and Queens, in Greater New York. In the Ridgewood section of Brooklyn, the very center of the industry, there is a sweater factory in almost every former saloon—practically one in each block. This new industry sprang up suddenly and without specific regulations. In March of this year a strike, largely "non-acrimonious," was called primarily to enforce the recognition of the union. When the state Department of Labor was unable to bring about a conference, an investigation was asked for—both by the employers, who believed there were no dark spots in the industry, and by the workers. The strike is still pending and the report of the investigation is just published by the Bureau of Women in Industry.

Though the establishments are usually small ones doing contract work for jobbers, though the physical conditions are unstandardized and scientifically planned workshops are rare, they do in general comply with the labor law. The basic hours average less than 48 a week. The median basic wage for men is between $35 and $40 a week; for women, who outnumber the men two to one, between $21 and $22. The processes are highly skilled and the accident rate, while above that in the clothing industry, is below that for cotton yarn, confectionery or paper boxes. There are possibilities of a good job for those working in this new industry.

But these are as yet merely possibilities, for it is the custom to give out home work, and years of experience have shown the difficulty of regulating this as to hours, age of workers, sanitary conditions or pay. While the basic hours are short, the overtime is excessive—sometimes reaching beyond 60 hours a week—and is not usually paid for at the customary rate of one and a half the basic rate. Moreover it is not an all-the-year-round job. The report says:

> Whether or not a wage is adequate depends upon the number of months the worker can count upon receiving it. The outer knit wear industry is highly seasonable. The length of the season varies with each product and to a considerable extent with each shop. Until the wage rates of workers are computed a full year, no fair estimate of wage earning can be reached.
>
> The seasons vary with the product manufactured. As for example wool sweaters are made from February till late summer. Bathing suits and silk neckties from September to February. A few factories have overcome the seasonal tendency by the coordination of two products such as sweaters in summer and bathing suits in winter.

The things that stand between this industry as it is and the good job it might become, can largely be got rid of by better management and a more social point of view. Home work, which is another name for the sweat shop, is not necessary to this or any other form of mass production. The more scientifically a factory is run the less overtime is necessary. And if some employers can operate the year round by dovetailing the making of sweaters, neckties and bathing suits, other employers can accomplish the same thing by bringing tricolette, scarfs, jersey cloth and tricotine into the cycle. This rapidly growing industry has begun at the point where law, the unions and public opinion have set the standards, but it has already developed the dark spots of home work, excessive overtime, and unemployment.

TWO YEARS AGO a handful of people who thought of adult workers' education as a worth-while adventure sent out a call to a group of like-minded teachers and trade unionists for an informal conference to be held in New York City. To those who assembled it seemed like a seed planted in uncertain soil. At the second convention, a plan was proposed looking toward an organic cooperation of the Workers Education Bureau with the Educational Department of the American Federation of Labor. At the time of the third annual convention, held last month, the modified endorsement of the American Federation of Labor had been secured, and international unions, state federations of labor, central bodies and other members of the trade-union movement had become active members of the bureau. Throughout the meetings, it was insistently emphasized that workers' education like government must come from the people, must be the voluntary expression of the worker, and that the responsibility for its initiation and conduct must rest upon the worker. The workers have realized also that the exercise of control is itself educational and are exercising it in complete accordance with the principles of adult education as well as with trade-union policy.

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EDUCATION

Respectable Nonentities

MAY a high school teacher be permitted a few remarks on high school teaching? I entered the vocation through chance; I have remained in it for five years through love of the work; but I am now convinced that I cannot make it a life occupation. Here are some of my reasons:

A high school teacher cannot grow intellectually to the limit of his inborn capacities. He must remain a timid individual, constantly endeavoring to placate his superiors and to be popular with the students by pretending that an ideal high school is one with victorious athletic teams. He cannot expect the degree of freedom accorded professors in our more liberal colleges. He is an unskilled laborer, working on jobs of every sort, necessary to the community but despised. He is publicly lauded and privately ridiculed by preacher and business man. He cannot hope for the standing which his education and experience might command in another profession.

We high school teachers are failures because we do not emphasize material things. We accept meager salaries and see little in the game of advertising, bond selling or other ramifications of a business career. We have no reason to be proud. We are unvarnished hacks.

We graduated from college having specialized, let us say, in mathematics. In the course of two years we have presided over classes in elocution, biology, economics, vocational guidance, sociology, German and chemistry. We get no intellectual stimulation from our neighbors in the school. Outside the school we are addressed as "professor," by elderly people who do not know us. We become experts in sitting through lengthy prayer meetings and meaningless sermons. We develop remarkable skill in dodging revivals. Our names are coupled, in turn, with every eligible girl between fourteen and forty in the community. About once a month a preacher "cheers" us by saying: "Next to the ministry, brothers and sisters, there is no greater calling than that of the teacher. The opportunity to mold our youth into citizens is unlimited. I sometimes believe that they are even on a level with those who follow in God's footsteps."

"The high school teacher must remain a timid individual, constantly endeavoring to placate his superiors. In the course of five years, I have been warned, officially or otherwise, to refrain from discussing organized labor, the Negro problem, evolution, the miners' strike, dancing, card-playing, the controversy between the chiropractors and the allopaths, and government control of railroads."—DAVID H. PIERCE

If we want to change our locations, we apply at a teacher's agency. Assuring the manager, usually an ex-professor with an undying love for the profession, that we belong to a respectable lodge, attend church (or pretend to do so), have never been dismissed for cause and so on, we are permitted to fill out the application blank. We understand and agree that 5 per cent of our first year's salary is to go to the agency for offering us its expert assistance.

We underscore three times those subjects we prefer to teach, draw two lines under those we have taught, and add a single line for those branches we can teach. Having covered possibly twenty subjects, we are ready to prove to any school board within five hundred miles that we are the most educated, experienced and docile individual our alma mater has produced in a decade. We prepare a barrage of testimonials from board members who never entered our classroom, preachers with whom we have never had a frank discussion and college instructors who must rack their memories to recall us.

The fact that we may be specialists in one or two branches is immaterial. The agency wants its 5 per cent and we want a job. We never allow ourselves to be discountenanced by strange requests. A colleague tells me that in applying for his first position he received a telegram from an agency, asking, "Can you teach sociology?" He replied at once in the affirmative, secured the position and was reasonably successful. After he had assumed his duties he frankly said: "Sociology was new to me. I had to look in the dictionary to find what the word meant."

A teacher who had specialized in Latin, taught, within a few years, algebra, English, civics, German and Spanish as well as his preferred subject. One woman, trained as an instructor in the domestic arts, was assigned a hash of household arithmetic, calisthenics, music and story telling. This is the lot of the great majority of high school teachers. We are doomed to be intellectually unskilled laborers, masters of nothing.

Knowing nothing thoroughly, unable to take pride in his skill or to feel a sense of mastery, the high school teacher cannot be a real scholar. He cannot achieve a critical intelligence. He thinks, as he teaches, without depth. One need never fear, when he is invited to meet a group of his colleagues socially, that he will have to exert himself mentally. Nowhere on Main Street is a critical discussion or serious conversation more taboo than among high school teachers. The weather, the children, a show, a concert, school politics and a few empty platitudes comprise our subjects of conversation. We can't discuss literature because we know little about it. We are unable to follow the developments in any field of knowledge because we have lost interest in special lines. Our teachers know little of their subjects beyond the text books they are using.

Indeed, for intellectual stimulation, the last place to go is to a group of teachers. Discussions about capital and labor foreign events, local civic affairs or even important move-

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ments in education, itself, is limited to the barest and most elementary observations. If one were to mention Bryan and evolution, or the Reverend Dr. Grant and Bishop Manning, or the higher criticism, our confrères would stand aghast and the subject of conversation would be hastily changed.

Perhaps all this is for the best. A West Virginia newspaper baldly states that "one of the few arcadias left is the realm of the teacher." This editor is unusually frank: "Teachers should not discuss controversial subjects. They should be thankful that they can have the benefits of this little heaven on earth and be willing to pay for it with their silence."

Too, there is the feeling, which I have even heard expressed, that unless you are a college teacher your opinion is of no weight. Why this legend should prevail is not wholly clear. Intimate contact with academic individuals does not raise in us that awe which should go with oracular and infallible wisdom.

The story of the high school teacher and his academic bondage is still unwritten.

In his social life the high school teacher has not emancipated himself from the mores of the small town. Restrictions stand in the way of his natural enjoyments. Probably all teachers in small towns have been warned to refrain from dancing. When our boarding-house mistress, a terribly conscientious soul, went away to attend a funeral, some of us found it possible to enjoy the first dance we had had in months. The same good lady had stopped us in an earlier dance, fearing that our waltzing would corrupt her four-year-old daughter! From such petty controls teachers inwardly rebel, and they often take to dancing and smoking with the bravado of an adolescent.

Physicians, lawyers and engineers do not permit the most conservative elements to dictate their social life. Teachers do. They tamely submit when an ignorant village parson raves at dancing and the sin of an occasional game of bridge. And the teacher mutters that he "sees no harm in dancing if not carried to excess," or "It's better for the children to dance in school than to go to the unsupervised public dances." He thinks that by uttering these platitudes, which are accepted by practically all intelligent persons, he has aligned himself forever with progressive people.

If the high school teacher is to be considered a necessary evil, his plight is hopeless. If he is to be forced to teach subjects he knows poorly, he will remain a hack. If his spirit is to be broken in the fight against the athletic craze and in favor of a little learning, his future is hopeless. I have known teachers to be dismissed for combating shady athletics. Others have been forced out because they expected children of influential parents to do a little work for their credits. In the course of five years, I have been warned, officially or otherwise, to refrain from discussing organized labor, the Negro problem, evolution, the miners' strike, dancing, card-playing, the controversy between the chiropractors and the allopaths, and government control of railroads.

I said at the beginning that I did not believe high school teaching could be made a real profession. I said this because I do not believe that the program necessary to such an end would be countenanced by the authorities. They wish us to remain as bulwarks of a futile respectability. Improvements in school methods do not touch the subject of educational aims. We bow before theological conservatism; we are silent before militarism; we say nothing to arouse entrenched capitalism. Social evils are minimized; and instead of fighting current prejudices we share them.

But I cannot close without offering a program. First I would place security of tenure. After a probationary period of not more than three years we should be secure in our positions. Nor should this "security" include an arbitrary "joker," by giving the superintendent authority to remove a teacher at will upon some hazy charge of incompatibility, insubordination, or the like. We teachers should not all be molded to the superintendent's type.

A vital organization of the teachers is absolutely essential.

Intelligent placement is a third requisite. A teacher of Latin should not be compelled to handle English, solid geometry and music. The increase in consolidated high schools makes bad placement less excusable.

With these three changes, high school teaching might become professional. But I do not feel that these changes can be expected. We are in a period of readjustments; the trend of events is mainly "back to normalcy." A liberal school policy can scarcely be expected. Hence, many of us who would really like to remain in the teaching group will aim to get into some other vocation as quickly as possible in order to escape the stigma of being respectable nonentities.

DAVID H. PIERCE

A New Curriculum

LINCOLN SCHOOL, Teachers' College, is experimenting with many things, including the school curriculum. The results of researches in a single subject-field, biology, have just been published by Charles W. Finley and Otis W. Caldwell. As an illustration of the reconstructive work that must be done in connection with every phase of the school's program this report, Biology and the Public Press, is recommended to every open-minded teacher. The principles underlying the report are fundamental in curriculum organization.

Many school men hold the theory that "learning must be carefully controlled and accurately measured" if it is to be counted as education. Teachers have been known to be contemptuous of information taken on outside the schools. To be sure, this attitude is more common in the colleges than in the lower schools. College authorities quite generally refuse credit for work done outside a conventional classroom, including work of that nature offered for admission to the colleges. "Standardized units of information" are regarded as ideal counters for reckoning the educational standing of an individual. Most schools are now dealing out their wares in the form of these interchangeable units. The method makes for simplicity of administration and for easy accounting of credits as students come and go.

But the method has its defects. Children often know things ahead of time. Teachers are not infrequently embarrassed by pupils who insist upon mentioning subjects days or weeks ahead of schedule, or by finding that some carefully protected lesson is "old stuff" to the class. Life refuses to be graded to the service of these units. The world goes right on nourishing the children with all sorts of material, never asking the consent of the teacher; and it will continue to do this (lawless) thing.

Would it not be well, therefore, for the school to take into more definite account the learning that goes on in the non-school experience of children? Mr. Finley and Mr. Caldwell insist that the school must do so. They have

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worked out their findings with a view to developing a curriculum that will include the information secured outside the school.

The principles upon which this new curriculum should be based have been fairly clear for some time. A child's experience is never a unity; but if he is ever to attain anything like self-integration and self-control his experience must not be ruthlessly disrupted, nor must obstacles to its unification be needlessly multiplied or interposed. Academic institutions are guilty of maintaining the fiction that school experiences, that is, lessons supposed to be taken on in schools, are different from the experiences that come to children in homes and streets and shops. Academic experiences are to be carefully segregated: these count for "credit." The academic world and the real world fight for dominance in the experience of the child. Whichever wins the child loses, for the struggle and the result both mean fragmentation of personality; in extreme cases, dissociation of personality. A justifiable curriculum will make for integrity of the child's experience, not for its disintegration.

The newspapers, magazines and current books carry large cargoes of biological information or misinformation. The community and its children are fed on this material. The facts or lies here retailed are at least as effective in developing eventual states of mind as are the materials studied in schools. The school must recognize this fact. Moreover, children begin to learn before they go to school; they learn from many sources while they are going to school, and it is to be hoped they will be able to learn even after they leave school. Mr. Finley and Mr. Caldwell insist that the time has come when the school's curriculum must reckon with that part, at least, of the non-academic world of information which comes to the children in the newspapers. "In order to know what the school must teach we have first to determine what kinds of information the public is now using." In addition, it were the part of wisdom to determine what kinds of information the children are now getting in their out-of-school hours and years.

Having studied 492 newspapers, which carried a total of 3,061 biological articles, long and short, the authors of this report come to some interesting conclusions. They find that the articles dealing with such subjects as health, animals, plants and food are usually free from gross misstatements of fact, their defects consisting in being sometimes too dogmatic on questions that are still controversial. Moreover, "Newspapers appear to be more up to date in things biological than are college and high school texts in the subject." Finally, "Since these types of biological knowledge are going to the public in such large quantities and over the whole country, the course in school biology should consider them as part of the legitimate foundation upon which to proceed in constructing a course of study."

This latter conclusion is revolutionary in educational procedure. If the principle could be generalized and intelligently applied, we might find ourselves in a new educational era. The school would assuredly be brought back into the life and thought and, maybe, the work of the community. Children would begin to see some connection between their ordinary experiences and the lessons taught in school. The school would find itself engaged in the positive process of integrating the experiences of its pupils instead of further disintegrating them. And, eventually, a real intelligence, compact of the experiences of living and the wisdom of learning, would begin to emerge into the leadership and guidance of our community affairs.

The authors of this report have here given concrete expression to an educational principle long held by theorists. The curriculum of any school must be so constructed as to provide the factual, critical and reconstructive experiences which the child needs and which are not already being provided for him by the common life. This principle is difficult of application and its complete development will compel thorough criticism of every aspect of the school's work in relation to the life of the community. But this task, though big, is not insuperable. Broken into parts of handy size, it can be readily surrounded. Mr. Finley and Mr. Caldwell have demonstrated how the thing can be done.

Certain Social Studies

A BOY hurrying home from school about five o'clock was stopped by a man who inquired as to the reasons for his being so late. He replied that he had been kept after school to learn civics. "What is that?" he was asked. "Oh, it is something in a book at school," he replied. "Do we have civics outside the school?" was the next query. "I don't think so, Mister, unless I should take the book home, and you bet I won't do that," responded the boy.

With this story Harry H. Moore, secretary of the National Committee for Teaching Citizenship, opens his report on the Status of Certain Social Studies in High Schools, which has just been published by the National Bureau of Education. Thirteen thousand high schools were asked, in January, 1922, to report on their experiences with civics, economics, sociology, current events and any other courses that were of a distinctly social character. Replies were received from 6,600 of these schools. The analysis and summary of these replies are given in the present publication, Bulletin 45, 1922.

According to these figures, the old civics course is losing ground. But other social science courses are more than making up for this not wholly unwelcome loss. Community civics courses have almost doubled in the last three years. Economics courses have increased in great numbers. Sociological courses have grown more than two hundred per cent. The number of high schools offering modern courses in one or more of the social sciences has increased fifty per cent. The table presented herewith shows the percentage of schools reporting which offer one or more studies of this modern social type.

The greatest gain has been made by sociology. 1,616 of the 6,600 high schools reporting offer courses in this subject. 611 of these schools have made sociology a required subject. In connection with this teaching the students make outside observations and investigations in many of the schools. In some schools the students engage in both class and individual projects in connection with the sociology course. These projects include organizing schools, beautifying the countryside, working out plans of recreation, dramatic clubs and the like, surveying roads that will make for social communication, planning for sanitary improvements of the community.

In a few instances the teaching of these social studies has been adversely criticised. The number is surprisingly few, 112 in all out of 6,600 schools reporting. These criticisms include objections to the theory of evolution (the most unpopular, with an adverse criticism from nineteen schools), sex problems, fear of propaganda (reported eight times),

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and the belief that such subjects are too advanced. Socialists object (eight times) that such teaching is usually unfair. Parents confuse sociology with socialism. And a few miscellaneous persons object to various items of information either in some text or reference book or brought up in class discussion.

Copies of the report may be secured from the Bureau of Education, Washington, D. C.

The relative standing of the various states (in respect to the proportion of schools reporting) which offer one or more social studies of the modern type in the high schools:

States	Per cent	States	Per cent
District of Columbia	100	New Hampshire	68
Wyoming	100	Texas	68
North Dakota	99	Kansas	68
New Jersey	94	Nevada	67
Idaho	92	Maryland	66
Utah	92	Illinois	65
Wisconsin	91	Connecticut	64
Minnesota	88	Virginia	63
California	86	Colorado	62
West Virginia	86	Georgia	61
Pennsylvania	86	Oklahoma	61
South Dakota	85	Mississippi	60
Iowa	83	Delaware	60
Ohio	82	Nebraska	59
Alabama	82	Michigan	59
Montana	81	Florida	58
Arizona	81	New Mexico	54
Missouri	79	Indiana	54
Massachusetts	78	Maine	53
Vermont	73	Oregon	52
Washington	72	Tennessee	52
New York	71	Kentucky	49
North Carolina	70	Louisiana	38
Arkansas	70	South Carolina	13
Rhode Island	69		

Reconstruction in Education

UNEXPECTED reinforcements to the liberalizing program in education are appearing. Among the most unexpected and most welcome of these forces we must list the American Defense Society, Inc., of 116 East 24th Street, New York City.

In commenting upon the article The War Department Turns Educator (see SURVEY MIDMONTHLY for April, 1923, p. 89), C. R. Mann, chairman of the War Department's Advisory Board on Training, writes:

> It seems to me you have missed the point . . . in the long argument in regard to specifications. Your point of view is the one that every one takes when they first hear about it. It is the opinion one forms from reading documents on the subject. As a matter of fact the work does not pan out that way in practice. After several years of extensive experiment with the matter, we have found out how to write specifications and to use them in training in such a way as to secure the required skills quickly and at the same time develop the initiative and resourcefulness of the men and open up opportunities for them to grow as far as they are able.
>
> In support of this contention, I am sending you a copy of Reconstruction in Education, in which I have marked several passages. These passages do not express wistful wishing; they are statements of actual achievements in training practice.

The pamphlet referred to by Mr. Mann was published within the past year by the American Defense Society. It contains thirty-two pages of printed matter,—five pages of general educational theory, the remainder being devoted to details of specifications and various exhibits of evidence. The following quotations are verbatim from this pamphlet. They include the ones marked by Mr. Mann and some others:

> Liberty is the objective of democracy—freedom to grow and to express the potential energy of every man and woman in constructive work. Therefore education must discover and develop the native talents of every citizen to the utmost . . . a program of action that is now being tried in several communities indicates the best method yet suggested for attacking this problem. . . . The dynamic idea in this program consists in treating education in schools and personnel organization in industry as fundamentally one and the same problem; namely, the problem of creating conditions in which every man may grow to full stature. The two fundamental factors involved are men and work. Any sound method of relating these two requires a coherent system of standards, of units, of appraisal, evaluation and measurement that applies successfully to both. . . .
>
> The first step consists in getting three or four industrial firms in the community to cooperate in the production of a common terminology and job specifications for all types of workers. . . . For purposes of education it is necessary to have standard terminology and a specification that defines the job for all firms. It is obviously impossible for a school to train workmen to complete mastery of the details of a job in any one firm. . . .
>
> The second step consists in securing the cooperation of the educational institutions in the community and in translating the coördinated specifications furnished by the industrial firms into school procedures that produce the specific results. Training must do more than develop the automatic skill required. . . . Unless it also makes the students master the fundamentals, unless it also fosters initiative, it is hardly justified as education. . . .
>
> It is now generally agreed that instruction is most effective when given by means of jobs, projects or the handling of real cases. The difficulty in constructing a course of instruction on this principle lies in selecting a series of jobs, projects and real cases which gives proper attention to all the factors of skill and knowledge called for by the list of fundamentals. . . .

The society suggests that courses of instruction constructed and administered in this manner make it possible for each student to progress as rapidly as his abilities permit. The report continues:

> Good habits of work and the right attitudes toward industry and society are more important for success than are automatic skill and knowledge. Therefore attention must be paid to the development of instruction that will orient the man in his social and economic relationships. . . . Courses of this kind will be given next year as an essential part of the entire program in the institutions making these experiments. . . .
>
> The significance of the program herein described lies in the cooperation it secures, not only among the industries . . . but also between industry and education. The very simple and practical expedient of bringing business men and school men together to study the facts and details of a very specific problem begets mutual understanding. They come to see that the training problem in schools and the personnel problem in industry are fundamentally one. The real problem is that of creating conditions that foster the growth of the greatest number to the highest possible degree.
>
> The enterprise may be initiated in any community by calling together a small group consisting of representatives of the educational institutions and representatives of several of the leading industries. . . .
>
> The program herein presented proposes a tangible, definite,

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practical procedure for achieving in education and industry results fundamental to national strength for either peace or war and . . . it makes for the reconstruction of our public school system so as to encourage and develop creative ability wherever found. . . . The work brings returns of value whenever it is well done. . . . Results of national significance will appear when every community is solving its own problems of education and organization by this kind of detailed analysis of facts and figures for the purpose of creating conditions most favorable to the growth of men.

Whether the doctrines herein presented are fundamentally sound and practicable or merely "wistful wishing," time alone, probably, can tell. But they have a swing and a flavor that carry them far past most of the doctrines debated by educational associations. It is not impossible that education should slip out of the hands of the so-called educators. It was said of Napoleon that he taught the world that "the tools belong to the man who can use them." Our educational tools will probably pass into the hands of the men and institutions that are best fitted to use them.

MOVIE DIRECTORS and prominent educators are planning a campaign for the wider use of motion pictures in education. A conference to this end was held in the office of Will H. Hays, New York City, in April. The practical program agreed upon includes: assembling of films now in stock that might be used for educational purposes; working out laboratory methods for the proper preparation of pictures for educational use; study of methods by which educational films may be distributed nationally to the schools; and an investigation of the changes in teaching methods that the use of the films may make necessary. The producers are to furnish the funds for these studies, and the work is to be done by sub-committees. The educators present at the conference had some suspicion that the plan implied, as one of them said, "a long term arrangement." The most important part of the problem proposed for study is that which deals with changes in method of instruction which may become necessary if the films are widely used. Superficial optimists have been believing and saying, for some years, that the film is the ideal device for teaching many things; that pictures were the "royal road to learning." They have thought that all learning could be filmed and then poured out upon the children in an endless flood of information. Of course, such a development would provide the double distilled essence of the passive, now the curse of all city schools. If the films are not to destroy what rudiments of mind remain to children, their use must be safeguarded in ways which are not now dreamed of in the philosophy of the schools.

TUTORIAL CLASSES for adult workers have long been specially exploited by Oxford and Cambridge universities in England. Extension courses have long been offered by leading American universities; but these have never been specially open to workers. Now, the University of California has begun to specialize in the Oxford and Cambridge direction. The work began four years ago, but it has just begun to attract national attention. Definite sums have been appropriated by the university for the support of this type of teaching. A labor man is in charge of the classes, the state federation of labor approves the plan, and the unions have given advice as to the courses and methods desired. Fifteen classes are now being conducted under these arrangements. The principles of the Workers Education Association of England underlie the movement. The university furnishes the resources; but the workers get, not what the university dictates, but what they, themselves, decide they want. This is an important and valuable demonstration of the principle of decentralization of control which is slowly emerging into education, today, and which, as it emerges, is bound to make our education more effectually democratic.

TEACHERS COLLEGE, Columbia University, has announced the organization of the International Institute of Education, under the direction of Professor Paul Monroe. The institute will be devoted to work with and for foreign students. The number of foreign students interested in the problems of education has grown rapidly in recent years. All sorts of problems are emphasized in the programs of these students. Health education, the training of nurses and school visitors and physical education; practical arts, including dietetics, household and industrial administration, designing, study of textiles and school music; statistical methods, especially as applied to educational matters, and mental tests and measurements; vocational education and guidance and the training of advisers, deans and other school officials: these are some of the special forms of help which students from foreign lands are asking for. Much of this work has to be arranged specially for these students, and this new development will make possible whatever adjustments are found to be advisable. The International Education Board has given $1,000,000, to be paid in ten annual installments for the purpose of financing this work.

AT THE CLEVELAND CONVENTION of the department of superintendence of the National Education Association, in February, last, the Commissioner of Education, John J. Tigert, made a lengthy address in which he explained, both as commissioner and as personal representative of the president, the new governmental plan for the proposed Department of Education and Welfare, with its four separate activities—education, public health, social service and veteran relief—each in charge of an assistant secretary. One of the reasons which he urged for the support of the administration plan was that "the immediate head of the division of education will be a professional educator who will not necessarily be changed in successive administrations as would be the case if he sat in the cabinet." But when the convention came to the passage of resolutions, the superintendents rejected the administration plan and reaffirmed their determination to have a department of education with a secretary in the cabinet.

MUSSOLINI, the Italian premier, having disposed of liberty by proclamation, has turned his attention to the reform of Italian education. He has told the Cabinet Council that Italian schools are "out of date and moribund," which is doubtless a true statement. But his methods of reformation are scarcely such as to lead one to expect them to come back to life. Giovanni Gentile, the educational absolutist, is minister of education in the Fascisti cabinet, and is heartily in sympathy with the aims of the premier. Half the teachers are to be dismissed: doubtless they deserve it. But it's a strong government that can stand too much of that sort of thing. "Discipline" is the slogan: Gentile says that in the next eight years, less money will be spent on schools and the youth of Italy will be better educated and really disciplined. "Discipline, order and hierarchy" is the aim of Mussolini, according to the dispatches; "discipline, order and hierarchy" echo the cabinet, including the minister of education. This may be the way out!

EDUCATORS might learn a lesson in method from Mary Sheppard, sister of that Vera Sheppard who for a few brief hours, last month, was the world's champion long-distance dancer. Vera began to get tired at 4 o'clock the second morning of her continuous effort. But she said her morning prayers and quickly recovered her energies. Here Mary found her chance. "She never missed her prayers once," said Mary. "I stayed up all through to look after her, reminding her of her prayers and massaging her legs."

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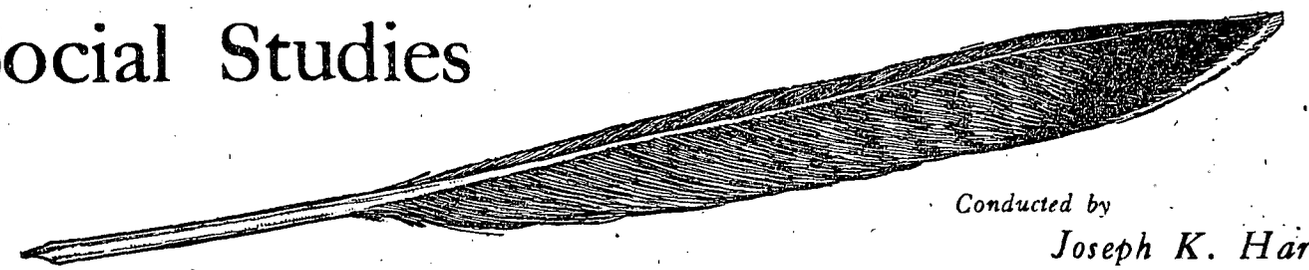
Social Studies



Conducted by
Joseph K. Hart

The School of the Prophets

IN the old days, the prophets were wont to get together, occasionally, to talk about the tasks that confronted them and to renew, if possible, the faith that once was in them. Now, all prophets are not the same prophet. Indeed, no two prophets are just alike. Hence, in every gathering of the prophets there was much discussion, because there was much divergence of opinion among them. None the less, the opinions expressed can be roughly listed under three rubrics.

One group always came with their remarks prepared in the form of papers. They had spent the preceding year in digging away at some extremely interesting detail of their prophetic task; they had been able to demonstrate to themselves the exceeding importance of this detail; they had piled up great mountains of data which supported their contentions; and they took many hours detailing these data to their not always patient listeners. (If there is anything a prophet does not care for it is listening to the talk of another prophet!)

It must be confessed that the net result achieved by most of these literalistic prophets with their papers filled with narrow pedantries and petty details was just about nil. If ever they made a real point, the impression produced upon the audience was offset by the sense of boredom that had long before taken possession of most of the listeners. At one of the annual meetings, a courageous young prophet offered a resolution to the effect that, thereafter, all such detailed papers should be merely read by title, printed in the report of the proceedings and distributed to the members of the school for leisurely perusal at a more convenient time. Though practically everybody present sympathized with the suggestion, few supported it, since no one could quite foresee what its ultimate effect would be. Hence, as long as the prophets met they disciplined themselves by attempting to sit through whole sessions devoted to these papers.

One historian, commenting upon the downfall of the nation and the end of the prophetic career, lays much of the blame upon the literalisms and pedantries of the leaders. "In a time when the people needed vision," he writes, "these alleged prophets spent their time reading and hearing papers on such subjects as the proper form in which to report the number of visitors at the various shrines, the sorts of inquiries they had made and the nature of the replies that had been given. Where there is no vision the people perish! The prophets dried up and the people perished!"

PERHAPS this statement is not quite fair. There was a second group amongst the ancient prophets who never prepared anything beforehand. The members of this group were always ready to "offer a few remarks" on any subject that came up. They were most impatient of the pedantries of the former group, and never lost an opportunity to break in upon the profitless discussion with stirring remarks probably no whit more profitable. This second group was strong on exhortation. "We must be up and doing!" they would say. "Let's have an end of these foolish papers and get busy. For God's sake, let's do something! This is no time for study or for philosophy. This is the time for action (after I get through talking!) and he best serves his day and generation who gets out and gets busy. Get a vision of something or other; get tools of some sort or other; take off your coat; lay aside your fears of criticism, your pride, your prejudices, your judgment, even your mind itself if it stands in your way, and work while it is called today! Do whatever comes to your hand; it's better to do the most foolish things than to sit around here all day, listening to vain babblings of science falsely so called!"

At one meeting, when one of these hortatory prophets was interrupted by the chairman on the ground that he had already exceeded his time limits, he replied, "In that case, I shall throw the remainder of my remarks into the form of a prayer!" And, while the whole earth waited for the prophets to get busy, this one prayed for an hour longer, urging his hearers indirectly, *via* heaven, to get ahead with their activities!

It would be a great pleasure for this veracious historian to record that at least a few of the third group of prophets were always present at these meetings. But one looks over the old programs with a growing sense of discouragement. Pedantries, enough and to spare, are indicated; and endless gorges of emotional exhortation are there. But where was the vision, the understanding, the interpretation? Were there no prophets who could see life whole without becoming vacuous and sentimental? Were there none who could see life realistically without becoming petty, literalistic and pedantic? It must be confessed that the number was always few. We are told there were hundreds, at times thousands, of prophets present at these meetings; but the names that proved worthy of remembrance are less than a score.

YET what names! And of the fragments of their speeches that have been preserved to us how shall I speak! Here were men who studied life yet always kept their heads above the fogs of literalism. They knew their cities: they never permitted the houses to keep them from seeing the city. They knew their communities: they never allowed the single individual to shut out their view of humanity. At the same time, their vision of humanity was not vacant, sentimental cant. They, too, had lived. Their shoes were covered with the dust of roads and streets. Their backs were a little stooped with the burdens of the world. They knew Man. But they also knew men—John, Thomas, Peter, Judas.

And when they spoke a certain fire seemed to play upon their faces and about their finger-tips and to leap at times like electric sparks into the air—in the direction of their listeners. Men heard and were fired; "electrified," we should say now. They gave details that made their hopes concrete and real; they gave interpretations that lifted their hearers out of the petty into the significant, at time into the sublime.

Perhaps it is not strange that from the exhorting prophets no words have come down to us. It is passing strange that out of the endless discussions of the literalists almost nothing remains. But of the messages of the true prophets, what eloquent fragments have been preserved! Always, it seems, some worshipful student was present when one of them spoke and preserved to the ages these searchings after Truth! Shall we accept the praise of History, that one true prophet is worth a thousand pedants and exhorters?

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Study Course on Social Organization

XV. The Social Sciences

For untold generations of human living, habit and custom made the world stand still; or, maybe, a world standing still made habit and custom inevitable and sufficient. But for some twenty-five hundred years, the world has been moving, stirring, struggling. Habits and customs have been ruthlessly broken down, denied, destroyed. Revolutionary impulses have attempted to run the world in the place of old habits and customs. Their success has not been permanent. Impulse is too impermanent to stand up under the strain. The world needs, today, as never before, an instrument of order and control that shall have something of the permanence of habit and something of the freedom of impulse. Is there any such instrument? If there is, it is to be found in Intelligence, in Science.

1. Science in Social Control

Why do habits and customs no longer suffice for the organization of social order? Have our old habits and customs been destroyed by agitators? What has been the effect upon habits and customs of the growth of populations? The building of cities? The rise of schools, newspapers and the movies? The development of railroads and other means of transportation and communication?

What is the danger in thinking? Is thinking about steam engines disastrous to the community? Should it be suppressed? Should thinking about radio be suppressed? Should thinking about business be stopped? About government? About morality? About religion? What areas may be safely investigated? What areas should be protected from investigation? If habit and custom go, what usually takes their place? If we were courageously intelligent, what would take their place? Is it possible to conceive of a community or a nation under the control of intelligence?

2. What Is Science?

Science is sometimes defined as "organized knowledge." Is this definition correct, or adequate? What has been the source of this knowledge? How has it been secured? How does it differ from the "rules of thumb" which passed for knowledge in the old days of habit and custom? Does this organized knowledge increase? Where does the new knowledge come from? Is science a growing process, or does it reach completion at any time?

If knowledge is a growing concern, how does it grow? By accident, or by design, or by both? Is there such a thing as a definite attitude of inquiry? Can an individual devote himself to the search for knowledge? Can a group of people develop the spirit of inquiry? Could a community become interested in thinking about its own organization and progress? Can one person make a community scientific or thoughtful? Can one person do anything toward making a community progressive? Can there be any such thing as cooperation in thoughtfulness or in scientific inquiry?

3. What Is the Standing of Science?

Does the average community care for the thinker? For the scientist? If not, why not? Is a thinker a safe guide? Is fear of science justifiable from any point of view? Are the opponents of science ever honest? Are they ever dishonest? What does the term science mean to the man on the street? Does he think of science as a source of trouble? Of security? Of wealth? Of destruction? Or doesn't he think of it at all? Is science a common human concern, or is it to be the possession of a special few?

References:

Thorstein Veblen, Place of Science in Modern Civilization. B. W. Huebsch.

Frederick Soddy, Science and Life. E. P. Dutton and Co.

The books mentioned on this page may be obtained through the SURVEY Book Department.

Questions on Current Issues

The Right to Live

Bernard Shaw has suggested somewhere that the human race has multiplied beyond its power to take care of itself. When people were fewer in number and natural resources more abundant relatively, the individual had a much greater chance of surviving in the struggle for existence. To be sure, an occasional tribe might starve to death because of famine conditions; but no individual would be permitted to do so: as long as any one had anything, every one had something. Today, however, the struggle for existence has grown so exacting that only the strong or the ruthless can survive without help. To offset this disadvantage of the weak, the strong have, in some cases, attempted to bind themselves by rules of conduct. At least they have attempted to bind their strongest and most ruthless members. Minimum wage laws are attempts to obstruct the natural flow of ruthlessness, in favor of those weaker members of the group who would certainly be destroyed if left to their own resources. Is any such obstruction of "natural laws" moral?

1. The Struggle for Existence

Is human society affected, in any way, by the so-called "struggle for existence"? What does the term mean? How does it apply in the life of plants and animals? How does it apply, if at all, in the life of men and women? Does it operate in industry? What form does it take? Does it apply to all individuals? Are all individuals equally affected by it? Is this struggle good for men? For women? For children? For all of them? What effect does it have on them? Does it have the same effect on all?

2. The Elimination of the Unfit

How do some escape the effects of this struggle? Why do some succumb? Are escape and defeat both natural? Does a strong man always overcome in this struggle? Does a weak man always fail? Is it inevitable that this should be so? Can anything be done to circumvent this alleged inevitability? Does protection for the weak offend nature? Does it do the weak any good? Does it do the strong any harm? Who are the unfit? Can they be eliminated? Will the human unfit acknowledge their unfitness and consent to be eliminated? If not, how are they best to be handled?

3. The Right to Live

Are workingwomen fit or unfit? For what: the struggle or for life? Is the struggle for existence the only good? What of existence itself: when existence has been won, does it cease to be good? Is no one of any value except as he struggles? Must all struggle in the same way? If a woman must work for her living, ought she to spend some time in struggling? Ought she to have to fight for her wages? Should society do anything to protect its weaker members? Should babies be cared for? Should children be saved from exploitation beyond their strength? At what age do children become adults? Should government ever protect any one? Should it protect the household from the burglar? Should it protect the victim of a swindle? Should it help a creditor collect a debt? Should it protect people from poisons in their food and drinks?

What are the objections to protection for those who cannot fully protect themselves? Have we any laws which are not for the protection of someone or something against exploitation of some sort? Do we have any such doctrine as the right of everyone to live? What is the duty of society if there is such a right?

Reference:

The Minimum Wage—What Next? (p. 215)

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SOCIAL WORK SHOPTALK

"I KNOW when you see them altogether it just seems like a hen party and it don't seem like them all talking at once and a lot of clatter that they make could possibly be doing any good but it is, and a whole lot of good, too."

Such was the reassuring comment of a girl at a large industrial school who was invited to express her opinion of social workers for the benefit of a conference of probation officers, superintendents and matrons of institutions, policewomen and other workers with delinquent girls. Mary Irene Atkinson, of the division of charities in the Ohio Department of Public Welfare, records that and a number of other pungent reflections in her conference report.

One girl wrote a brief statement entitled "Essay of My Opinion." Here it is:

"My opinion of my probation officer was that *he* or *she* didn't think very much of their girls or they would of came to see them. For the rest of them I think they were very nice to their girls as far as I know.

"But it is my religion to forgive and forget. For if they didn't come to see me, I will have the opportunity some day to go and see them.

"Old age does effect a person."

THE INDIFFERENCE of some social workers to the decrees of Dame Fashion and their excessive plainness when viewed en masse brought forth some very caustic remarks, says Miss Atkinson. One girl "bet no welfare worker was in that business because she liked it. You could tell by looking at them that they couldn't get a man." Another, having wept all over her probation officer who visited her, wailed to her matron as the caller disappeared: "She's been more than a mother to me—but wouldn't you think she'd ha' spruced up?"

"Not long ago," wrote one miss, "there were a large group of ladies came to this School and there were some of the homliest people I have ever saw. I never will forget the first time I saw my probation officer because she looked so funny. She is a big tall lady and she wore an old-fashioned tight waist and a loose skirt. I really felt ashamed to come on the train with her because her hair was skinned tight back and she looked so queer. I had my hair bobbed and curled and she said, 'I don't like the idea of taking you with your hair like that,' but I just had to laugh to myself."

More charitable was the one who scribbled: "Well, they were not such bad scouts after all, even though they didn't get up early, didn't comb their hair in the latest style and didn't wear stylish clothes. You will remember the old saying, never judge a book by its cover. Well, that saying holds true with these people. They may be rough-looking on the outside but they are all right within."

Some of these commentators should be invited to report the Washington conference.

SOCIAL WORKERS who want a dash of social thinking with their summer vacations, can plan an interesting trip to the Pacific Coast following the National Conference. Annual conferences scheduled in the coast states during June and July include: National Tuberculosis Association; National Education Association, in connection with which there will be a World Child Health Conference; American Medical Association; National Federation of Business and Professional Women's Clubs; American Association of University Women; California State Librarians; California Parent Teachers Association; California State Nurses Association; Oregon Conference of Social Work; Oregon Public Health Nurses; Washington Tuberculosis Association; Washington State Federation of Labor.

THEY DO THINGS BETTER in the Golden West. The California Conference of Social Work meets from May 22 to 25—in Frisco or Hollywood or Pasadena? Not on your life. In the Yosemite. Redwood cabins and canvas tents will house the delegates. You can rent half of a cabin or the whole of a bath, and in any case you'll have a glorious time. Oregon social workers are organizing a motor caravan and will trek to the Yosemite to talk over the possibility of organizing a Pacific Coast conference. They will take in all the scenery they can find en route.

CHICAGO gives promise of a long stride forward under the administration of Mayor-elect Dever, who has announced that he will appoint Mary McDowell—long a leader in the fight for honest neighborliness in the stockyards, industrial justice everywhere, and good will between the nations—to the office of commissioner of public welfare.

ONE OF THE FIRST THINGS George R. Bedinger has done in his new job as executive director of the Public Charities Association of Pennsylvania is to find out just where he and the public charities are at. The immediate result is the preparation of a wall-map which reveals handsomely where the state and semi-state institutions are to be found. The essential facts about each institution are tabulated in the margin of the map, which thus becomes a useful reference guide and directory. This map, which is said to be the first of its kind prepared for any state, may be had from the association at 75 cents a copy.

BULLETIN BOARD

CALIFORNIA CONFERENCE OF SOCIAL WORK: Fifteenth Annual Meeting. Yosemite Valley, May 22-25. Secretary, Anita Eldridge, 436 O'Farrell St., San Francisco.

MICHIGAN STATE NURSES ASSOCIATION: St. Joseph, May 23-25. President, Barbara H. Bartlett, 329 Science Building, Ann Arbor.

NORTH CAROLINA STATE NURSES ASSOCIATION: Annual Meeting. Raleigh, May 29-31. Chairman, Miss C. Munds, R.N., North Carolina State Nurses Association, Wilmington.

NEW YORK PUBLIC HEALTH NURSES: Syracuse, May 31-June 1. President, Sara O'Meara, State Department of Health, Albany.

SOUTH DAKOTA STATE NURSES' CONVENTION: Madison, June 11-13. President, Ellen McArdle, Central Division American Red Cross, Chicago.

ANNUAL CANADIAN PUBLIC HEALTH CONGRESS: Edmonton, Alberta, June 12-14.

CALIFORNIA STATE NURSES ASSOCIATION: Santa Barbara, June 13-15. President, Mrs. E. B. Conzelmann, R.N., State Hospital, Stockton, Cal.

NEW JERSEY CONFERENCE OF OVERSEERS OF POOR: Atlantic City, June 15-17. President, Harry L. Barck, Hoboken.

AMERICAN ASSOCIATION FOR STUDY OF FEEBLEMINDED: Hotel Statler, Detroit, June 15-18. Secretary, Dr. B. W. Baker, Laconia, N. H.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE: Kansas City, Kansas, June 15-30.

FEDERATION in New York is still far distant, but federations are many. The latest is the Council of Community Organizing Agencies, which brings together the Federated Neighborhood Associations, the Community Councils, the United Neighborhood Houses, the Board of Education Community Centers, and the Brooklyn People's Institute. It has engaged Donald Price as executive and has opened an office at 25 East 30th Street. When the neighborhood organizations become neighborly the social work millennium comes forward with a jump.

CLEVELAND loses the service of Raymond Moley, director of the Cleveland Foundation, through his appointment to an associate professorship in Barnard College. Dr. Moley, who writes a review of the Cleveland surveys on p. 229 of this issue, is to build up at Barnard, according to press announcements, "a great center for the study of government problems by women." He will give several courses in American and comparative government and politics. It will be remembered that Dr. Moley occupied a similar chair at Western Reserve before taking the direction of the foundation in 1919. He is also educational adviser of the National League of Women Voters.

AFTER SURVEYING the Burden of Unemployment for the Russell Sage Foundation, Philip Klein has become the new executive secretary of the American Association of Social Workers. Mrs. Edith Shatto King, who has been serving temporarily as executive secretary, sails shortly for Europe with the single purpose, she assures us, of enjoying herself.

WARSAW has called Amelia Greenwald from the position of national director of farm work for the Council of Jewish Women. Mathilda Dreifus, formerly associated with the Emanuel Sisterhood of Personal Service in New York, succeeds her.

TRAVELERS AID has recruited two new staff workers from the Red Cross. Harriet E. Anderson, formerly general secretary of the Associated Charities of Louisville, and then for five years field worker and director of field work and personnel service for the Red Cross, becomes the field representative of the National Association in the South. Mrs. Helen Stewart Edmunds, who was chapter correspondent for the Atlantic Division of the Red Cross, is now technical assistant to the director of field work on Mr. Shillady's staff.

THE PUBLIC HEALTH FEDERATION OF TOLEDO, needing an executive of broad training and experience to direct its work, has gained its objective by securing the services of Dr. H. E. Kleinschmidt, of the staff of the American Social Hygiene Association. Dr. Kleinschmidt, a specialist in graphic methods of health education, has been granted indefinite leave of absence from the association and took up his work in Toledo on May 1.

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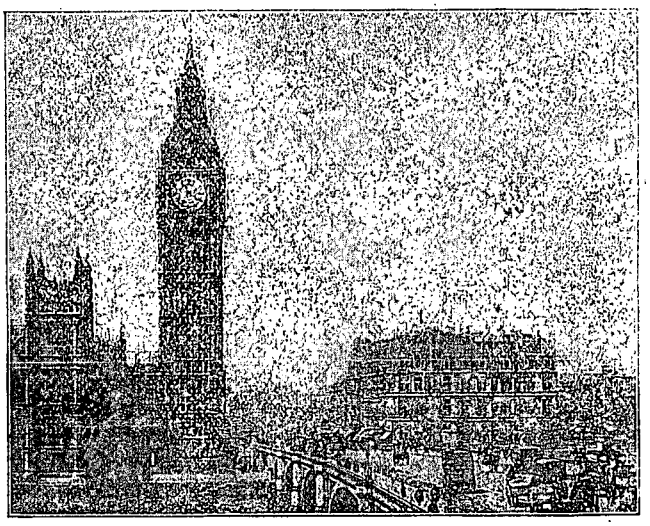

WESTMINSTER BRIDGE AND CLOCK TOWER, LONDON.

D. E. Lorenz, author of the Mediterranean Traveler and Managing Director of the Round the World Cruise, which sailed January 23, 1923, upon which there was a party of Survey readers, will have charge of all arrangements in connection with this *Summer Cruise Party.*

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COMMUNICATIONS

The A. R. A. in Russia

At the request of Secretary Hoover, and by invitation of the SURVEY, *a member of the staff of the American Relief Administration has prepared the following statement as a summary of the information on which the present feeding program of that organization in Russia is based.*

TO THE EDITOR: In accordance with your suggestion, I am setting forth briefly the several stages in the development of the Russian food and relief situation as it has appeared to me.

1. Preliminary reports last June and July indicated a greatly increased crop over the previous year, that, if properly distributed, would be sufficient for the support of the entire population of Russia and render unnecessary the importation of food. Realizing that there was no accurate way of determining the amount of the crop, the A. R. A. decided to continue after the harvest in order to watch developments and to care for the after-famine problem of special foods for children and to continue medical relief. Our Russian Unit was authorized to feed around a million children from the harvest for an indefinite period.

2. After the harvest had been gathered, the Central Soviet authorities still maintained that it had yielded a surplus but estimated that, because of transport and other conditions, some 8,000,000 persons would be in need of support. From our various districts throughout Russia a good deal of apprehension was expressed as to how long the local food supplies would last. (These reports were, of course, influenced by the desire of the peasants to minimize their resources in order to escape taxation and to secure the continuation of relief both from the Central Government and from foreign agencies.) At this time, although the best local information we could get left us no more certain than before as to the actual food resources of the country, we accepted the figure of 8,000,000 as a fair guess as to the number who would have to be assisted in some way before the harvest of 1923.

3. At about this point (October) the Soviet officials formally requested us to feed 3,000,000 and at the same time asserted their ability to care for 4,000,000, which with the programs of other foreign relief organizations would meet the need. They stated at this time that they expected the tax to yield some 280,000,000 poods. The tax campaign was then going on.

4. The need of child feeding was apparent and the A. R. A. undertook to find sufficient financial aid to care for 3,000,000, it being realized that this child feeding would release food for adults. Such a program would meet the request of the Soviet Government and could be carried out without a public appeal.

5. In January it began to be apparent that conditions were better than had been anticipated. The returns from the grain tax being received indicated that it would pass 300,000,000 poods. The price of bread grains in all sections steadily declined. The Cooperatives, the Bread Product, and other commercial bodies announced that they had acquired by purchase some twenty-five or thirty million poods of the peasants' surpluses. Moreover, except in certain spots like Pugachev and some places in the Kirghiz Steppes, famine conditions had not appeared. Our Moscow office was, however, authorized to extend the child-feeding program as far beyond 3,000,000 as was necessary and possible. Each district was asked to estimate the number it would have to feed each month until the harvest in order to prevent starvation among children. The total of these estimates at the peak was slightly under 3,000,000. Our Moscow office, however, is prepared to go beyond this number if necessary.

6. Our February reports confirmed those of the previous month regarding the development of conditions. It became evident that the volume of food which we were placing in the various areas was generally meeting the situation. There was no refugee movement, typhus was negligible, and through the appearance of hidden resources, through local famine taxes and government and foreign relief, those who would otherwise have been starving were receiving relief.

7. Early in March we received Col. Haskell's cable in which he and Mr. Kamenev, after going over the situation, stated that the local resources were sufficient to care for the whole adult population, as well as great numbers of children. At about the same time we learned that the total of the food tax had amounted to 370,000,000 poods. That is almost a hundred millions more than expectations, and is regarded by every one as a tremendous success. The significance of the food tax is primarily as an index of the food situation of the country. The fact that the tax was so successful means that the peasants were willing to pay it, and a peasant who had been through the famine of last year would certaintly not give up his last grain in taxes unless it were taken from him by force. We have heard of comparatively few cases where forcible collection of the tax has taken place.

There are many signs reflected in our current field reports which indicate a betterment of conditions. A. R. A. physicians report a slow but steady improvement in general sanitary conditions. The problem of shelter and care for waifs, especially in the large cities like Moscow, Petrograd, and Kiev, is being in a large measure met. The quality and regularity of the ration furnished to children's institutions by government departments has greatly improved over last year. Cases of hunger oedema in hospitals show no marked increase. The price of food, even in Samara, is also lower than pre-war. The estimates of the area for the 1923 crop already planted last autumn and to be planted this spring indicate an excess over last year of about 23 per cent in the R. S. F. S. R. and about 39 per cent in the Ukraine, the most notable increases being in the famine regions of the Middle Volga and the southern Ukraine. These are all very encouraging signs but they do not, of course, mean that Russia has returned to normal; that no one is suffering from hunger or is in want. There is general impoverishment, a great deal of unemployment, and acute shortage of clothing and almost all other manufactured articles. There has been some slight increase in the number of draft animals in some of the old famine districts, but the shortage is still extremely great. The Soviet Government and certain American associations, such as the Joint Distribution Committee, the Friends, and the Mennonites, are aiding materially in agricultural reconstruction by the importation of tractors and the purchase of horses for the peasants.

H. H. FISHER

New York

National Parks or National Fairness?

TO THE EDITOR: Injustices to the Indians never cease. One stumbles upon them in the most unexpected corners.

Just now the Indians of the Agua Caliente reservation near Palm Springs, in southern California, are fighting to keep a valuable part of their diminishing lands, 1,600 acres of magnificent canyons. The plan for securing these canyons assumes a seemingly disinterested form—the creation of a "national monument" to "preserve" the native palms of this region. "The public good"—yes, but who thinks about the Indians' interest? Or of the fact that these palms have been preserved under centuries of Indian care?

The whole point of the injustice lies in the overwhelming force of the public opinion which says "We want this, so it is right," over the voiceless minority of the Indians.

There is a Congressional Act authorizing this "Palm Canyon National Monument" and providing for the consent of the Indians, and for payment of some agreed sum by private subscription into the Indian Bureau. This sounds fair. But the Indians do not want to sell. They want the land itself, for water, wood and grazing—all indispensable in this sparse land. They have twice refused the paltry sums offered. But they feel the increased pressure, taking various forms. They fear the

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threatened loss by condemnation if they continue to refuse. They have a background of double-dealing, of unexplained transactions, of injustices, worked through their agency and by white land-grabbers, that leaves them perplexed and hopeless in the face of disaster.

They have protested to the Secretary of the Interior that they do not want to sell, asking that they be not forced to it, and that no disposition be made without their consent. They want to be let alone. And many of their friends have petitioned the secretary not to grant a lease or make other disposal without the Indians' free consent. With that threat removed they may keep their lands in peace, unafraid in their refusal to sell. Will their petition be heard? ELIZABETH GREEN

Palm Springs, California

THE PUBLICITY SHOP

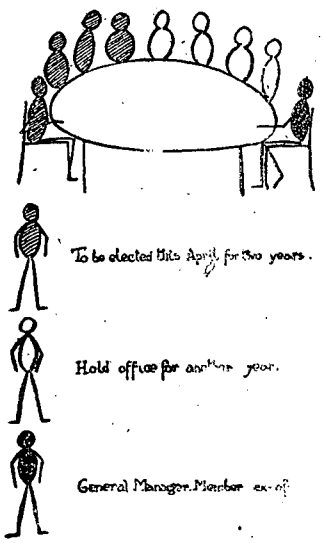
"SHOW your wares," is the slogan of the Committee on Publicity Methods in Social Work as a "kindred group" of the National Conference of Social Work. Its sessions will be held in Washington, May 17-23.

The program will include two dramatizations, the first dealing with the social worker and the platform. A Speakers' Bureau will be presented in full swing; Clare Tousley, of the New York C. O. S., will speak on C. O. S. work as to a woman's club; Elwood Street, of the St. Louis Community Council, will speak on the work of a central council as to a chamber of commerce meeting; Dr. I. A. Galdston, of the New York Tuberculosis Association, will make a health talk as to a labor union, and Cheney Jones, of the Little Wanderers Society, Boston, will play the role of an executive of a children's society, making a report of a year's work at an annual meeting.

The scene of the second social work drama is a newspaper office. The cast includes Leon Whipple, of the Department of Journalism of New York University, and Arthur Kellogg, of the SURVEY. The tense and tragic plot will reveal why much social worker publicity finds its way to the waste basket, rather than into the newspaper columns, and how—yes, there's a happy ending—how to assassinate the waste basket.

There will also be three "clinics" for the examination, discussion and analysis of printed matter and films produced by social agencies.

OUR COOPERATIVE CAFETERIA, Inc., in New York, which does a rushing business in an effective sort of way and incidentally pays dividends to not a few perfectly good social workers who "belong to it," admits that it is not an ordinary business. It needs an alert electorate and a sure-fire board of directors. A recent number of its little organ, The Cooperative Crier, was therefore devoted to the forthcoming election of the board. The responsibility which board members carry was pointed out in crisp detail: "We handle a lot of money; a third of a million last year and probably more next. The board never sees any of it, but it knows just who does see it. . . . . Every board member follows operation figures closely." The dull detail of the by-laws was illuminated by the sketch which we reproduce alongside. If anybody failed to know just what the election signified it was his own fault. There is a hint for more cumbersome committees and complicated boards in this lively publicity. Does it work? "The board had nineteen meetings last year. They were not dull meetings. There was an industrial arbitrator, a department store executive, an editor, a produce broker, a private secretary, a teacher, a special writer and an investigator. . . . And at all those meetings they averaged a 75 per cent attendance."



Children Astray

by

SAUL DRUCKER

Superintendent, Home for Jewish Children, Boston

and

MAURICE B. HEXTER

Executive Director, Federated Jewish Charities, Boston

INTRODUCTION BY DR. RICHARD C. CABOT

Adopting the analytical case method for the presentation of their material, the authors here give the results of their many years' work with the problem of juvenile delinquency. The book considers those cases in a certain Orphanage that were representative of the most important types of delinquency; analyzes both the problem and the treatment; and traces results over a much longer span of years than most records of this sort are able to do. By showing each child's life from his own point of view, as a unique personality, the authors have unconsciously elevated their story to a high literary level. Dr. Cabot's illuminating Introduction anticipates some of the questions sure to spring up in the minds of readers.

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The Minimum Wage—What Next?

(Continued from page 222)

Woman's Party, as a purely feminist organization, to discuss the constitutional question involved or to discuss the merits of minimum wage legislation as a method of bettering labor conditions. On these points we express no opinion.

But as a feminist organization, we are concerned with the attitude of the Supreme Court toward legislation on a sex basis. The opinion by the Supreme Court this week reflects vividly the increasing tendency to regard women as adult human beings standing on an equal plane with men.

Justice Sutherland brings this out clearly when he says:

> The ancient inequality of the sexes otherwise than physical, as suggested in the Muller case, has continued with "diminishing intensity." In view of the great—not to say revolutionary—changes which have taken place since that utterance, in the contractual, political and civil status of women, culminating in the nineteenth amendment, it is not unreasonable to say that these differences have now come almost, if not quite, to the vanishing point. . . . We can not accept the doctrine that women of mature age, *sui juris*, require or may be subjected to restrictions upon their liberty of contract which could not lawfully be imposed in the case of men under similar circumstances. To do so would be to ignore all the implications to be drawn from the present day trend of legislation, as well as that of common thought and usage, by which woman is accorded emancipation from the old doctrine that she must be given special protection or be subjected to special restraint in her contractual and civil relationships.

This is the attitude of the Supreme Court in 1923 towards legislating for women as minors instead of as adult human beings. Yet it was only a few years ago, in 1908, when this same Supreme Court said, in Muller vs. Oregon, in sustaining the ten-hour law for women:

> History discloses the fact that woman has always been dependent upon man. He established his control at the outset by superior physical strength, and this control in various forms, with diminishing intensity, has continued to the present. As minors, though not to the same extent, she has been looked upon in the courts as needing special care that her rights may be preserved. Education was long denied her, and while now the doors of the school room are opened and her opportunities for acquiring knowledge are great, yet even with that and the consequent increase of capacity for business affairs it is still true that in the struggle for subsistence she is not an equal competitor with her brother. . . . .
>
> Differentiated by these matters from the other sex, she is properly placed in a class by herself, and legislation designed for her protection may be sustained, even when like legislation is not necessary for men and could not be sustained. It is impossible to close one's eyes to the fact that she looks to her brother and depends upon him.
>
> Even though all restrictions on political, personal, and contractual rights were taken away, and she stood, so far as statutes are concerned, upon an absolutely equal plane with him, it would still be true that she is so constituted that she will rest upon and look to him for protection; that her physical structure and a proper discharge of her maternal functions—having in view not merely her own health, but the well-being of the race—justify legislation to protect her from the greed as well as the passion of man.

The courts are among the last places to express changes in popular opinion. When one finds the Supreme Court of the United States beginning to realize, in the words of Justice Sutherland, that woman should be *"accorded emancipation from the old doctrine, that she must be given special protection or be subjected to special restraint in her contractual and civil relationships,"* one can feel that at last the world is beginning to realize that women are adult human beings.

ALICE PAUL

Get Back to the Facts

The Supreme Court decision rendering the minimum wage law in the District of Columbia unconstitutional is a decided step backward for the women workers and for the industrial progress of our country. It means going back to the time when employers could pay wages to their women employees in accordance with their own judgment.

The findings of the Minimum Wage Commission in the District of Columbia, before the minimum wage rulings went into effect, are the clearest evidence that women were paid much below what was considered to be the least possible amount an individual woman could live upon and keep herself in health. The investigations of the commission also showed that over one-half and sometimes two-thirds of the women employed in the industry received an increase of from $3 to $5 a week after the rulings went into effect, which is decided proof that such a commission was necessary for the health and well-being not only of the women themselves but of the families who depended upon them and of the community as a whole.

The facts discovered by the investigations for the Minimum Wage Commission in the District of Columbia are typical, in the experience of the Women's Bureau, which has made investigations in eleven states. In only two of them were minimum wage laws in operation. While some industries are paying as much or more than the minimum wage set in the District of Columbia, we find a very large majority of women receiving far below that sum, and as one step in remedying this situation, many of us have pinned our hopes on the minimum wage laws.

I am quite sure this is not the time for us to give up hope of finding some means of a constitutional regulation of the minimum wage for women. A commission with non-mandatory powers, as in Massachusetts, may be one solution, although it does not seem to be entirely satisfactory. It is also possible that by bending our energies to the accumulation of more fundamental facts on the wage question and its relation to the individual and to industry we may be able to clarify the situation so that there can be no doubt in the judicial mind that regulation of minimum wages is as important a social need as the regulation of hours of work.

It is too early to see what the next step is, but it seems to me that public opinion can be depended upon in the long run to decide that no employer has a moral right, even though the Supreme Court has decided that he has a legal right, to pay a woman less than a living wage, and that there must be some way of making this public opinion effective without destroying the effectiveness of constitutional guarantees.

MARY ANDERSON

Exit "Reasonableness"

This decision, it should be remembered, goes far beyond the single District of Columbia statute in question; by implication, and unless reversed by the Supreme Court itself, it in effect denies the right of any state to follow a social policy enacted after due deliberation by its law-makers, endorsed after fair trial by the public, and sanctioned by the highest judicial authority of the state.

So drastic an exercise of power by the court must needs spring from weighty reasons. What are they?

Justice Sutherland begins pontifically with "the constitution . . . the supreme law of the land . . . the repository of ultimate sovereignty under our form of government," and proceeds to the "exercise of the judicial power—that power vested in courts to enable them to administer justice according to law."

Following these abstractions, the majority opinion dismisses the method of defending labor laws, accepted by the Supreme Court since the Muller ten-hour case of 1908; the appeal, that is, to accepted economic and social facts, as the basis of the reasonableness of the statutes in question. The *reasonableness*, we must again remember, is all that must be established to sustain the validity of these acts: whether as Justice Holmes put it "a reasonable man reasonably might have that belief."

The facts showing the reasonableness of a belief in the efficacy of minimum wage legislation, its relation to the public health and welfare, exhaustively arrayed in defense of the District of Columbia act, Justice Sutherland dismisses as "interesting, but only mildly persuasive." But the point at issue is, precisely, not whether these facts are interesting to Justice Sutherland, but whether they furnish a reasonable basis of legislation for Congress. "It is not the function of this court," says the Chief Justice in his minority opinion "to hold congressional acts invalid simply because they are passed to carry out

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economic views which the court believes to be unwise or unsound." And the inimitable Justice Holmes adds on this point: "When so many intelligent persons who have studied the matter more than we can, have thought that the means are effective and are worth the price it seems to me impossible to deny that the belief reasonably may be held by reasonable men."

But Justice Sutherland, leaving legal abstractions, has his own economic views. He concedes "the ethical right of every worker, man or woman, to a living wage." But for him a "just equivalence" between work done and wages paid is a "moral requirement implicit in every contract of employment." A just equivalence! Will Justice Sutherland set it? Is it $10 or $15 per week, when competing employers are found to vary by 50 per cent in their pay for identical work? Or rather, is it true, as the Chief Justice says, that "employes, in the class receiving least pay, are not upon a level of equality of choice with their employer and by their necessitous circumstances are prone to accept pretty much anything that is offered."

First to deny the application of ascertained economic facts as an index to the validity of the law, and then to insist on economic abstractions to destroy the law—such is the feat of this decision.

Until, however, a state minimum wage law is specifically held unconstitutional, every effort should be made to enforce the still existing statutes. In no other way can we retain the benefits of what has already been accomplished, and keep open also the possibility of obtaining in another case a decision informed by the spirit and knowledge of the dissenting justices.

JOSEPHINE GOLDMARK

Conserve—but Check—the Court

The recent decision of the Supreme Court in the minimum wage case, together with the majority opinion as presented by Justice Sutherland, is a most surprising and shocking step backward in the history of social legislation in the United States. Important decisions of the Supreme Court in the past have seemed to establish thoroughly the police power of the state and the rights of the states, or of Congress by implication, to interfere with the private right of contract in matters involving questions of public health. No one was prepared, therefore, for the kind of argument presented in Justice Sutherland's opinion. Moreover, the principle was also well established that, as regards women, adverse conditions of labor tending to lower vitality have a peculiar effect upon the health of the community because of the function of women as mothers.

A careful reading of the majority opinion brings out clearly that the Supreme Court has, in this instance, indulged in an economic argument and not a legal argument, and has in reality passed upon an economic phase of the minimum wage law and not its legal or constitutional phase. This is not the function of the Supreme Court, as is pointed out quite clearly in the minority opinions of Chief Justice Taft and Justice Holmes.

It is possible that minimum wage laws of the Massachusetts type, in which the state has no power to compel compliance with the decisions of the wage boards, may prove to be a partially satisfactory compromise with the present situation—and certainly states where public sentiment is in favor of minimum wage laws should attempt to secure the type of legislation where compliance with the wage rates promulgated by the wage boards is voluntary, as a temporary expedient.

It would seem, however, that the time has come for all liberal thinking people to agree upon a program for reform of the judicial practice of the Supreme Court. This program should be based, of course, upon a full and deep appreciation of the peculiar importance of the Supreme Court in our form of government and the fundamental position which it holds in the safeguarding of the liberties guaranteed by the Constitution of the United States. We should not allow ourselves, because of a certain petulance at adverse decisions in regard to modern social legislation, to be led to forget that the history of Supreme Court decisions in regard to the constitutional liberties has been on the whole, throughout the history of the United States, a determining influence in the preservation of those liberties. Ways have been found in recent times, however, to harmonize individual liberty with social progress and social treatment.

Probably the safest immediate change in the practice of the Supreme Court would be a change in the balance of the vote on the constitutionality of matters which are statutory law in

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the various states and which have been upheld by the courts of the various states. A statute law which has been declared constitutional by the lower and higher courts of any state and later goes before the Supreme Court should not be declared unconstitutional on a five-four vote after many other learned judges in the lower courts have found it constitutional. At least six, or possibly seven, votes should be necessary to a determination of unconstitutionality in a case involving a statutory law the constitutionality of which has been upheld by the courts of the state in question. FRANCES PERKINS

What "Unconstitutional" Means

The oustanding feature of the minimum wage decision is its exposure of our legislative helplessness. In the newspaper comments on the decision, even in those which take an apologetic instead of a denunciatory attitude, there is practical unanimity on one proposition—that the minimum wage law itself and the results that it has produced are highly desirable. Yet the Congress of the United States, with all its sovereign power, is unable to maintain this unquestionably desirable social regulation.

Nor is the situation similar to that created by other constitutional limitations. Congress could not enact an equal suffrage law without a change in the constitution, indeed; but in that case, the inhibitory language of the constitution was definite and unquestionable. In the matter of the minimum wage law, there was no clear constitutional inhibition. The decision of the majority of the court was based entirely upon what is called "judicial construction."

The development of the "judicial construction" of the "life, liberty, and property" clause of the constitution is pointedly described by Justice Holmes in his dissenting opinion. The earlier decisions construing this clause, he says, "began within our memory and went no farther than an unpretentious assertion of the liberty to follow the ordinary callings. Later that innocuous generality was expanded into the dogma, liberty of contract. Contract is not specifically mentioned in the text that we have to construe."

The dogma has undergone still further expansion in the majority opinion of the court in the minimum wage case. Freedom of contract now means the freedom to pay less than living wages to women, despite the will of Congress. Chief Justice Taft and Justices Holmes and Sanford refrained from reading this meaning into the "life, liberty, and property" clause, because they confined themselves strictly to the constitutional law as formulated in previous decisions. The majority of the court enlarged the scope of freedom of contract because they went beyond the existing precedents and interpreted freedom of contract in the light of their ethical, economic, and political opinions. Anyone who reads the decision written by Justice Sutherland will realize that by far the greater part of his arguments have nothing at all to do with law or precedent. He thinks that the minimum wage law is unfair to the employer, is contrary to economic and business interests, and is bad public policy. As stated again and again by the court in times past, these considerations are entirely irrelevant to the judicial function. The business of the judge is to interpret law, not to determine legislative policy.

To say that the minimum wage law of the District of Columbia is unconstitutional is, therefore, to describe the situation inadequately. The actual and comprehensive characterization runs somewhat like this: The minimum wage law is void because it conflicts with the economic, ethical, and political philosophy of five justices of the Supreme Court.

What is the remedy? By what methods shall a regulation, universally regarded as desirable, become valid legislation? First, by a congressional enactment, or if that be unconstitutional, an amendment to the Constitution, requiring the vote of at least seven justices to make any law unconstitutional. Second, by a constitutional amendment empowering both Congress and the states to enact minimum wage legislation. The first of these proposals would give compulsory effect to the rule which the Supreme Court professes to follow, namely, that a law shall not be nullified unless its unconstitutional character is beyond reasonable doubt. When three or four justices believe that a statute is in harmony with the constitution, surely its unconstitutionality is not beyond "reasonable doubt." The second remedy would "make assurance double sure."

JOHN A. RYAN, D. D.

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A Meager Sense of Humor

The minimum wage decision derives its grave character not so much from its immediate effect on the women in the District of Columbia, serious though that may be, as from the philosophy of the law and the judiciary which it embodies. The learned justices who promulgated it have departed from strict judicial usage to write into their opinion economic arguments, arguments drawn from a body of utterly discredited economic doctrine. By what rule of reason does the highest tribunal in the land permit itself such a statement as this?

> In principle there can be no difference between the case of selling labor and the case of selling goods. If one goes to the butcher, the baker or grocer to buy foods, he is morally entitled to obtain the worth of his money, but he is not entitled to more. If what he gets is worth what he pays he is not justified in demanding more simply because he needs more, and the shopkeeper, having dealt fairly and honestly in that transaction, is not concerned in any peculiar sense with the question of his customer's necessities.

Here is the crude commodity theory of labor raised to the level of a judicial finding. Equally disquieting, not to say irritating, is the summary dismissal of all argument concerning the relation between moral character and the wage level. "Morality rests," says the court, "upon other considerations than wages; and there is, certainly, no such prevalent connection between the two as to justify a broad attempt to adjust the latter with reference to the former." Is it any wonder that labor now and then inquires upon what meat these our justices have fed?

Even if the economic reasoning involved were quite in accord with the spirit and necessities of the hour, Mr. Taft's rebuke, administered to the majority in his dissenting opinion, would remain unanswerable. He declares that "it is not the function of this court to hold congressional acts invalid simply because they are passed to carry out economic views which the court believes to be unwise or unsound." This is a great jurist's way of recognizing that the Supreme Court is giving ground for the criticism, often hurled at it by labor spokesmen, that it exists not so much to safeguard constitutional law and procedure, as to maintain an economic regime which is in accord with the convictions of conservative minds.

One may be pardoned perhaps for saying also that this extraordinary decision indicates a meager sense of humor on the part of the majority of the court. They criticise the Minimum Wage Commission law because it makes mandatory a ruling which represents only "the opinions of the members of the board and their advisers—perhaps an average of their opinions if they do not precisely agree. . . ." And this occurs in a decision to which it was possible to secure the assent of only five out of nine judges! And they further opine that whatever grounds may have existed for protective legislation for women workers have largely disappeared as political barriers have been removed—behold the Nineteenth Amendment! And the women of the District of Columbia, who only are involved in this decision, are denied the franchise!

One cannot read this remarkable opinion without feeling that something perhaps even more drastic than Mr. Borah's bill, putting an end to bare majority decisions which invalidate legislation, may have to be devised by a long-suffering electorate. Can we maintain the tradition that the Supreme Court may unmake law at will, unless a way is found to insure that its judgments will bear some relation to a developing public conscience?

F. ERNEST JOHNSON

Pernicious Legislation

I have not seen the law in question but I assume that it contains no provision that the wages should be fixed in accordance with the market value of the services rendered. Such omission would be in accordance with what I take to be the purpose of minimum wage legislation. The SURVEY, for instance, in an editorial article (August 1, 1922, page 558), says:

> It is impossible to be influenced by the market rate without disregarding the cost of living. . . . Congress endeavored to bind into the same section of the transportation act principles as incompatible as those based on the commodity theory of labor and those founded on the conception of the laborer as a citizen and as a member of the community in which he lives.

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(The wage-earner's) lowest wages must be enough for comfort, enough to make his house a home, enough to insure that the struggle for existence shall not crowd out the things truly worth living for. There must be a provision for education; for recreation and a margin for saving. There must be such freedom of action as will insure full play to the individual's abilities.

The question then is whether a law requiring A to pay certain sums to B, or whoever may take B's place in A's employ, regardless of the market value of the services rendered, is or should be constitutional.

1. As market value is not necessarily to be considered, the amount of such wages may be fixed upon any principle the legislature thinks best to adopt. If it is fixed, as the SURVEY suggests, on the principle that the laborer is a citizen entitled as such to an income enabling him to maintain a proper physical and intellectual standard, there appears to be no reason why the employer should be selected as the person to supply this income or to make good any deficiency above the market value of the plaintiff's services. The right in that case does not spring out of the employment but out of the plaintiff's status as a citizen and appears to be a right against society at large, not against the employer. The latter indeed, by paying whatever sum has been mutually agreed upon under our present conditions of free contract, has already done whatever has been done toward making up the required income and he, if anybody, should be exempt from further contributions.

2. The decent minimum income for a citizen as described by President Harding—in which description I heartily concur—is of course far above the average income of all citizens under present conditions, so that a minimum wage law administered on the principle suggested would fix a level considerably above the income of the average family, and so create a privileged class supported in part by their less wealthy fellow citizens.

It is true the principle suggested might not be applied. Political pull, indeed, would be the more probable measure of desert. But even that principle is open to objection.

3. Laws regulating hours, employment risks, etc., have been cited as a precedent. These laws, however, forbid only the doing of positive harm arising out of the employment. They do not require the making up of a deficiency which would have been greater if no employment had existed. Paying a man money, however little, does not stand on the same footing as breaking his leg.

Conclusion: I believe a mandatory minimum wage law, not based on the fair competitive or market value of the labor, is pernicious. I believe it is unconstitutional. I believe, however, that its unconstitutionality is unfortunate as it would probably be better for us to have the disease and secrete the anti-toxin than to be temporarily saved by the constitution.

What substitute would I offer?

No substitute is necessary for legislation which by weakening motive, depriving some of the inefficient of the right to work and all of them of the moral satisfaction of earning their own salt and leaving people to look to legislative pull, not to efficiency, as the source of income, would greatly impoverish not only the wage-earners but the whole body of the people. Perhaps a series of small artificial famines would take the place. Meantime the further encouragement of coal strikes, the enforcement, as at Herrin, of the death penalty against anyone venturing to take the place of a striker, further combinations of farmers, trusts and trade unions for the limitation of output, and higher tariff rates, may serve our turn.

To produce a contrary effect I would limit immigration, segregate the unfit, push birth control, encourage cooperation, increase industrial training, have real public schools, and otherwise labor to increase the dividends of labor while keeping down the number of the stockholders.

JOSEPH LEE

Require a Two-thirds Vote

The recent decision of the Supreme Court declaring the minimum wage law of the District of Columbia unconstitutional strengthens the conviction which has been growing for some time, that the power of this tribunal to declare laws unconstitutional should be abridged as soon as possible. It should be made conditional at least upon a two-thirds vote.

The necessity for this action is evident for the reason that otherwise the technical attitude of a majority of the Supreme

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Court may destroy legislation based on the most enlightened public opinion as to human and civic standards and the best modern industrial practices. The desirability of this limitation is all the more apparent from the fact that it would not interfere with the protection by the Supreme Court of fundamental constitutional rights and guarantees.

Recent decisions as to the unconstitutionality of various laws will illustrate this fact. Broad, underlying, fundamental principles have not been invoked but technical and indirect reasoning has been used to nullify sound and desirable legislation. By way of illustration the Hepburn Law of 1906 prohibiting railroads, such as the anthracite carriers, from producing and selling commodities which they transported, was rendered incapable of application for more than ten years by the judicial attitude that producing and transporting corporations were "distinct legal entities."

It is such legal and judicial technicalities which have prevented the realization of legislation essential to the welfare of the people and the realization of the ideals of our self-governing republic. On the other hand, if there should be any misguided or improper legislative attempt to destroy any constitutional rights or guarantees, it is apparent that the authority of the court to declare a law unconstitutional by a two-thirds vote of its members would afford ample protection.

The elaborate reasoning of the majority opinion of the court in the minimum wage case, in the light of the real considerations involved, has somewhat the same depressing effect as a letter of condolence from a friend had upon Lowell on the death of his daughter. Lowell replied in part, in his poem The Burial, as follows:

> Your reasoning, my friend, is perfect,
> Your moral most drearily true,
> But since the earth fell on her coffin,
> I have been thinking of that, not of you.

The majority opinion of the court in its technical legal reasoning as to "freedom of contract" and the "fixing of maximum wages" has the same dismal effect when it is realized that not only our basic but also our secondary industries do not pay living wages to those in the lowest scale of industrial occupations, and that the real intent of the law was not only to protect human standards, but also to establish a general principle which would require industrial undertakings to adjust their operations to democratic institutions and ideals. The majority opinion, as it stands, dismally subordinates humanity and democracy to relentless selfishness.

W. JETT LAUCK

Restore the Balance of Power

The division of the Supreme Court indicates that there is a very reasonable doubt as to the unconstitutionality of minimum wage legislation for women. There were three votes in favor of constitutionality and five opposed.

There was also the affirmative vote of the Congress and the approval of the President. This congressional action, under the general rule, is entitled to the presumption of constitutionality and must clearly be shown to the court to be unconstitutional. It evidently was not shown to be such to three members of the court.

It seems, therefore, unfitting that a bare majority of the Supreme Court should have the power to overrule the Congress and the President. When the constitution was framed, in 1787, this situation was not foreseen, for it was doubtful whether the Supreme Court had authority to overrule Congress. Anyhow, the practice has become so confirmed, and it gives to the Supreme Court powers so evidently legislative, that I should think the time had come for a constitutional amendment requiring at least a two-thirds vote or a three-fourths vote to declare an act of Congress unconstitutional. The same rule should apply when state legislation is before the United States court.

It does not seem to me worth while to take up each particular act declared unconstitutional and try to get a constitutional amendment to meet each case as it arises. The simpler method and the one more in conformity with a proper balance of power between the legislative and judicial branches, would be the requirement of a three-fourths vote of the total membership of the court to overcome the presumption that an act of a legislature is constitutional.

JOHN R. COMMONS

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INTERNATIONAL COMMITTEE OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS—First appointed 1854, located New York City 1866, incorporated 1883. Headquarters office, 347 Madison Avenue, New York City, N. Y. Telephone Vanderbilt 1200. Branch offices, Chicago, Atlanta, Denver. Chairman, James M. Speers; Treasurer, B. H. Fancher; General Secretary, John R. Mott. The Committee maintains a staff of executive and traveling secretaries for service in the interests of the Young Men's Christian Associations at home and abroad.

JOINT COMMITTEE ON METHODS OF PREVENTING DELINQUENCY—Graham Romeyn Taylor, Executive Director, 52 Vanderbilt Avenue, New York. To promote the adoption of sound methods in this field, with particular reference to psychiatric clinics, visiting teacher work, and training for these and similar services; to conduct related studies, education and publication; and to interpret the work of the Commonwealth Fund Program for the Prevention of Delinquency.

NATIONAL ALLIANCE OF LEGAL AID SOCIETIES—Officers: President, Albert F. Bigelow, 111 Devonshire Street, Boston; Secretary, John S. Bradway, 133 South 12th St., Philadelphia; Chairman of Central Committee, Leonard McGee, 239 Broadway, New York. This organization was formed in 1912 as a national association of all legal aid societies and bureaus in the United States to develop and extend legal aid work. Copies of Proceedings of convention in December, 1922, including report on relation between social service and legal aid, may be had on request.

NATIONAL BOARD OF THE YOUNG WOMEN'S CHRISTIAN ASSOCIATIONS—Mrs. Robert E. Speer, President; Miss Mabel Cratty, General Secretary, 600 Lexington Avenue, New York City. This organization maintains a staff of executive and traveling secretaries to cover work in the United States in 1,152 local Y.W.C.A.'s on behalf of the industrial, business, student, foreign born, Indian, Colored and younger girls. It has 174 American secretaries at work in 55 centers in the Orient, Latin America and Europe. The National Board also maintains a National Training School of graduate type at 135 East 52nd Street, New York City, for the professional training of its leadership. The training is given in two parts. The preliminary course consists of six weeks of lecture work (generally given in the summer session) and nine months practical experience on salary under supervision. The advanced course requires a full year of resident academic study, upon the successful completion of which a professional certificate is granted. Special emphasis is placed upon training in group work.

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General Secretary, Rev. John J. Burke, C.S.P.
Departments—Education Laws and Legislation, Social Action, Press and Publicity, Lay Organizations (National Council of Catholic Men and National Council of Catholic Women.)
National Catholic Service School for Women, 2400 Nineteenth Street, N. W., Washington, D. C.

NATIONAL CHILD LABOR COMMITTEE—Owen R. Lovejoy, secretary; 1 East 104th St., New York. Industrial, agricultural investigations. Works for improved laws and administration; children's codes. Studies health, schools, recreation, dependency, delinquency, etc. Annual membership, $2, $5, $10, $25 and $100; includes monthly bulletin, "The American Child."

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THE NATIONAL COMMITTEE FOR MENTAL HYGIENE—Dr. Walter B. James, pres.; Dr. Frankwood E. Williams, med. dir.; Dr. Clarence J. D'Alton, executive assistant; Clifford W. Beers, sec'y.; 370 Seventh Avenue, New York City. Pamphlets on mental hygiene, nervous and mental disorders, feeble-mindedness, epilepsy, inebriety, criminology, psychiatric social service, backward children, surveys, state societies. "Mental Hygiene," quarterly, $2 a year; "Mental Hygiene Bulletin," monthly, $.25 a year.

NATIONAL CONFERENCE OF SOCIAL WORK—Homer Folks President, New York; W. H. Parker, Secretary, 25 East Ninth Street, Cincinnati, Ohio. The Conference is an organization to discuss the principles of humanitarian effort and to increase the efficiency of social service agencies. Each year it holds an annual meeting, publishes in permanent form the Proceedings of the meeting, and issues a quarterly Bulletin. The fiftieth annual meeting and Conference will be held in Washington, D. C., May 16-23, 1923. Proceedings are sent free of charge to all members upon payment of a membership fee of five dollars.

NATIONAL COMMITTEE FOR THE PREVENTION OF BLINDNESS—Edward M. Van Cleve, managing director; Lewis H. Carris, field secretary; Mrs. Winifred Hathaway, secretary; 130 East 22nd St., New York. Objects: To furnish information, exhibits, lantern slides, lectures, publish literature of movement—samples free, quantities at cost. Includes New York State Committee.

NATIONAL CONSUMERS' LEAGUE—44 East 23rd St., New York. Mrs. Florence Kelley, general secretary. Promotes legislation for enlightened standards for women and minors in industry and for honest products; minimum wage commissions, eight-hour day, no night work, federal regulation food and packing industries; "honest cloth" legislation. Publications available.

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NATIONAL ORGANIZATION FOR PUBLIC HEALTH NURSING—Member, National Health Council—Anne A. Stevens, R.N., Director, 370 Seventh Ave., New York. For development and standardization of public health nursing. Maintains library and educational service. Official Magazine, "Public Health Nurse."

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NATIONAL PHYSICAL EDUCATION SERVICE—309 Homer Building, Washington, D. C. To obtain progressive legislation for physical education. Established at the request of a committee created by the United States Bureau of Education; 35 national organizations cooperating. Maintained by the Playground and Recreation Association of America.

NATIONAL URBAN LEAGUE—For social service among Negroes. L. Hollingsworth Wood, president; Eugene Kinckle Jones, executive secretary; 127 East 23rd St., New York. Establishes committees of white and colored people to work out community problems. Trains Negro social workers. Publishes "Opportunity"—a "Journal of Negro Life."

NATIONAL WOMAN'S CHRISTIAN TEMPERANCE UNION—Anna A. Gordon, president, Headquarters, 1730 Chicago Ave., Evanston, Ill. To secure effective enforcement of the Eighteenth Amendment, to advance the welfare of the American people through the departments of Child Welfare, Women in Industry, Social Morality, Scientific Temperance Instruction, Americanization and other allied fields of endeavor. Official publication, "The Union Signal," published at Headquarters.

NATIONAL WOMEN'S TRADE UNION LEAGUE—Mrs. Raymond Robins, Honorary President; Mrs. Maud Swartz, President; 311 South Ashland Blvd., Chicago, Ill. Stands for self-government in the work shop through organization and also for the enactment of protective legislation. Information given.

PLAYGROUND AND RECREATION ASSOCIATION OF AMERICA—1 Madison Ave., New York. Joseph Lee, president; H. S. Braucher, secretary. Special attention given to organization of year-round municipal recreation systems. Information available on playground and community center activities and administration.

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RUSSELL SAGE FOUNDATION—For the Improvement of Living Conditions—John M. Glenn, director; 130 East 22nd St., New York. Departments: Charity Organization, Child-Helping, Industrial Studies, Library, Recreation, Remedial Loans, Statistics, Surveys and Exhibits. The publications of the Russell Sage Foundation offer to the public in practical and inexpensive form some of the most important results of its work. Catalogue sent upon request.

TUSKEGEE INSTITUTE—An Institution for the training of Negro Youth; an experiment in race adjustment in the Black Belt of the South; furnishes information on all phases of the race problem and on the Tuskegee idea and methods. Robert R. Moton, principal; Warren Logan, treasurer; A. I. Holsey, acting secretary, Tuskegee, Ala.

WORKERS' EDUCATION BUREAU OF AMERICA—Spencer Miller, Jr., secretary, 465 W. 23rd St. A clearing-house for Workers' Education.

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S-5-15

A Blanket Amendment

Perhaps no fact commends itself more generally to the common sense of thoughtful persons than that changing industrial conditions require modifications in the legal protection of the workers. Under certain conditions the exercise of federal authority is plainly preferable to isolated and halting action by individual states. Already the people have in several instances plainly indicated their desire for national action and the legislative and executive branches of our federal government have responded. The action of these two branches of our national government has been thwarted by the third or judicial branch only by close decisions accompanied by strong dissenting opinions.

Apparently it now becomes necessary to modify our federal constitution by means of amendments. This should be done not by the patch work method but by the adoption of a general principle permitting the people's representatives in Congress to carry out their expressed will to protect their safety and health. This should be made possible not only for the immediate future or for special classes of workers but for all who may be concerned in industrial relations whenever future changes in our industrial life clearly indicate the need for further appropriate safeguards. In addition, I personally favor a provision requiring the votes of at least three-fourths of the justices of the Supreme Court to overturn a federal statute.

JOHN B. ANDREWS

Make the Laws Work

The decision seems to me very unfortunate. The gap between this statute and the legislation already sustained by the court was so narrow that it ought to have been crossed. The cure may lie in a constitutional amendment, but there would hardly be enough interest in an amendment involving only the minimum wage. It is possible that sufficient support could be found for a group of provisions, dealing with child labor, the minimum wage, and workmen's compensation in maritime and interstate activities (so as to remove the present twilight zone between state and federal jurisdiction).

But even though these problems might be specifically met by amendment, other problems of social legislation would arise, and would have to be construed by the Supreme Court. Therefore, the main necessity is the insistence on the social value and the reasonableness of such legislation, so that not only the present justices but the bar out of whom future justices shall come may adopt a more friendly attitude towards the regulation of industry. It is not enough, however, to argue to the bench and bar that minimum wage statutes are reasonable; it must be made certain that they *are* reasonable as actually drafted and administered.

The recent decision probably leaves the Massachusetts type of non-compulsory statute still valid. Ten years of actual operation has proved a law of this type to be well worth while. If several states will administer such a statute with vigorous and thoughtful endeavors to base the fixed minimum wage upon adequate data wisely analyzed, this will develop a technique of the subject which will impress the judges. The development of such a technique is in any event a desirable preliminary to compulsory legislation. When the fairness of minimum wage administration becomes common talk, the way to a compulsory statute will be reopened. In short, no time should be wasted in denouncing the court; it can be spent better in careful drafting of statutes of the Massachusetts type, in promoting the selection of the right type of men and women for minimum wage commissions, and in training an increasing number of persons to be fit to participate in the drafting and administration of industrial statutes.

ZECHARIAH CHAFEE, JR.

A Correction

In Fifty Years of Child Welfare, by Lillian D. Wald, published in SURVEY GRAPHIC for May 1 (p. 181) the statement, taken from Dangerous Classes, by Charles Loring Brace, was made that the death rate of New York for 1872 was 28.79 per thousand. The New York Board of Health informs us that the correct rate for that year was 33+ per thousand.

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Address Advertising Department **THE SURVEY** New York City 112 East 19th Street

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State House Trenton, N. J.

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WANTED: Matron not over fifty, experienced with delinquent girls. Either apply in writing to the school, sending references and photograph or by personal interview, Powhattan Hotel, Washington, D. C., May 16-23. Salary $60.00 and one-half railroad fare. Complete maintenance. Address Dr. Carrie Weaver Smith, Girls' Training School, Gainesville, Texas.

MATRON, with knowledge of dietetics, preferredly institutional experience in a boys' agricultural school. State reference, age and salary. 4489 SURVEY.

A LARGE Settlement House in the East is in need of an assistant head worker. She must have experience in the field of recreation, and in the direction of girls' and boys' activities. 4490 SURVEY.

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RURAL Public Health Nurses for Kentucky. Apply Director Bureau Public Health Nursing, 532 West Main Street, Louisville, Kentucky.

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CURRENT PAMPHLETS

Listings fifty cents a line, for four insertions; copy to remain unchanged.

BIOLOGY IN THE PUBLIC PRESS. By Charles W. Finley and Otis W. Caldwell. The Lincoln School of Teachers College, 425 West 123rd St., New York.

A DESCRIPTIVE BOOKLET; outline of types of work in The Lincoln School; published by The Lincoln School of Teachers College, 425 West 123rd Street, New York.

TEN-CENT MEALS, by Florence Nesbitt. 44 pp. (10 cents). How John and Mary Live and Save on $35 a Week—a weekly budget plan (10 cents). Weekly Allowance Book (10 cents). Am. School Home Economics, 849 East 58th St., Chicago.

A NEW UTOPIA. Showing how Charity would be unnecessary in an organized society. (25 cents), League-for-Living, 125 West 16th St., New York.

IN NON-UNION MINES: By Powers Hapgood of the U. M. W. of A. Bureau of Industrial Research, 289 Fourth Avenue, N. Y. 48 pp. Price 25 cents.

CREDIT UNION. Complete free information on request to Roy F. Bergengren, 5 Park Square, Boston, Mass.

WELFARE FEDERATIONS, by Edward T. Devine, contributing editor of The SURVEY. A reprint of four articles from The SURVEY. How Not To Do It: Philadelphia—The Mid-West Spirit: Louisville—Where It Works: Cleveland and Detroit—The National Agencies: General Considerations. Price 50 cents; 3 copies $1; 25 copies $6, postpaid. The SURVEY, 112 East 19th Street, New York, N. Y.

FINANCIAL FEDERATIONS, by William J. Norton, director of the Detroit Community Union. A reprint in handy pamphlet form of a series of articles published in recent Midmonthly issues of The SURVEY. Price 25 cents; 6 copies $1; 25 copies $3; postpaid. The SURVEY, 112 East 19th Street, New York, N. Y.

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FOR A LABOR PARTY. Recent Revolutionary Changes in American Politics. A Statement by the Workers Party. Workers Party of America, 799 Broadway, New York. Price, 10 cents.

SAFETY INSTRUCTION FOR KANSAS CITY ELEMENTARY SCHOOLS. The Kansas City Safety Council, 502 New England Building, Kansas City.

A COURSE OF STUDY IN SAFETY EDUCATION. Harriet E. Beard, Supervisor of Safety Education, Detroit Public Schools, Detroit.

HOW FARM TENANTS LIVE. A Social-Economic Survey in Chatham County, N. C. By J. A. Dickey and E. C. Branson. University of North Carolina Press, Chapel Hill, N. C.

RED CROSS SERVICE FOR UNDERNOURISHED CHILDREN IN NEW YORK CITY. A story of the Child Health Stations and Public School Dental Hygiene Clinics. The Health Service, New York County Chapter, American Red Cross, 598 Madison Ave., New York.

A DESCRIPTIVE BOOKLET. Outline of Types of Work in the Lincoln School. The Lincoln School of Teachers College, 425 W. 123d St., New York.

THE NUTRITION AND CARE OF CHILDREN IN A MOUNTAIN COUNTY OF KENTUCKY. By Lydia Roberts. Bulletin of Children's Bureau, U. S. Department of Labor. Superintendent of Documents, Government Printing Office, Washington. Price, 10 cents.

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PAUL U. KELLOGG

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*Copies of the brief may be obtained for one dollar and postage (weight 4 pds.) by parcel post.

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